

Held

City Hall – Council Chambers at 7:30 p.m. on January 2, 2007

20

ROLL CALL – Seven Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Mr. Cumston moved to excuse Mrs. Doyle and Mr. Reid with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Pro Tempore Thomas declared Mrs. Doyle and Mr. Reid excused.

PLEDGE OF ALLEGIANCE was led by President Pro Tempore Thomas.

Old Business:

ORDINANCE NO. 2006-97

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, 2007.

The legislations title received its second reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston., Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Pro Tempore declared the rules of council suspended.

Mr. Schertzer summarized the estimated income and expenses for the 2007 budget. He said that the estimated shortfall would be taken from the carryover balance in the amount of \$856,752.00 leaving an estimated carryover of \$1,743,247.28. Mr. Schertzer advised that the year to date income tax is currently at a little over 14 million compared to last year at this time at 12.8 million. He said that the council has created a special revenue fund and placed \$500,000 in this fund with the expectation of adding an additional \$120,000 this year. Mr. Schertzer said that this number could be higher once the certification of the final numbers has been completed. He said that often he is questioned about why budgets go up and the biggest reasons are salaries increase, sick leave sell back and increased costs in health insurance. He said that he has had discussions with other members of council about the grant driven departments and that some grants require a matching portion and they are subsidized by the general fund. Mr. Schertzer advised that Mr. Cramer has compiled a list of these funds. Dr. Gilsdorf said that agreed with Mr. Schertzer's comments and thanked all departments and the administration for their hard work on the budget, however, he is representing the residents of his ward with that he will be voting no on the budget. He said that money has been set aside to fund some of the long term liabilities but that there still needs to be 2.5 million to fund these items. He said that when it was said that there was going to more money this year, he has heard from one union department that they were coming after these funds. Dr. Gilsdorf said that he wants this money set aside to fund the long term liabilities. Mr. Schertzer also thanked the administration and department heads for their hard work on the budget. He said that with the payouts and retirements there are some positive signs and that the city is preparing for these events.

Mr. Thomas said that we go through this same process each year and that with last year the expected carryover was set to be 1.8 million and we ended up with a little over 2.2 million in carryover. He said that there was no deficit spending and that each budget is balanced. He said that this will be a good budget and that currently the sick leave sell back is now budgeted and we can look at putting more aside in the retirement fund but that he cannot see taking the 2.5 million and setting that aside now. Mr. Cumston said that we need to be cautious because the new state budget will be coming out in June and that we will need to see if there are cuts that will be taking place in the revenue.

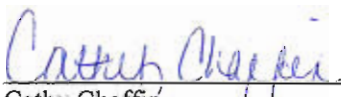
Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston., Mr. Thomas, Mrs. Blevins, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff, Dr. Gilsdorf.

Whereupon, President Pro Tempore declared the legislation adopted.

With no further business to come before council, President Pro Tempore Thomas adjourned the meeting.



Mr. Phil Reid
PRESIDENT OF COUNCIL



Cathy Chaffin
CLERK OF COUNCIL

City Hall – Council Chambers at 7:30 p.m. on January 9, 2007

Held

20

ROLL CALL – Seven Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer.

Mr. Cumston moved to excuse Mrs. Doyle and Mrs. Davis with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mrs. Doyle excused.

PRAYER – The invocation was led by Mr. Cumston.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – December 26, 2006 and January 2, 2007.

Mr. Thomas moved to adopt the summary of proceedings for December 26, 2006 and January 2, 2007 with Mr. Cumston seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for December 26, 2006 and January 2, 2007 adopted.

New Business:

RESOLUTION NO. 2007-1

RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF TERESA HAYCOX TO SERVE AS A MEMBER OF THE MARION CITY RECREATION BOARD AND DECLARING AN EMERGENCY.

The legislations title received its first reading. Mayor Kellogg added the legislation to the agenda and advised that Teresa has served on the board and has done a good job and he would recommend approval to re-appoint.

Mr. Cumston moved to suspend the rules of council with Mrs. Pinnick seconding. The roll call vote was: : YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Cumston moved to adopt with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-2

A RESOLUTION RECOMMENDING THAT THE MARION COUNTY BOARD OF COMMISSIONERS ENTER INTO AN AGREEMENT WITH BEAVER PAPER & PACKAGING INC. CURRENTLY LOCATED AT 1605 INDIAN BROOK WAY, BLDG. 300, NORCROSS GA. 30093 FOR THE PURPOSE OF ABATEMENT OF REAL PROPERTY TAX ON BUILDING IMPROVEMENTS AT A VACANT MANUFACTURING FACILITY AT 747 PERRY STREET, MARION, OHIO TO ENCOURAGE THEM TO LOCATE AND IMPROVE THE SITE AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Jobs & Economic Development Committee to place on the agenda.

Mr. Cumston welcomed the company to Marion. Mr. Phil Prier President of Beaver Paper Products explained that his company specialized in specialty type papers and that said that they can make things here. He said that their products are sold worldwide and that there is a ton of new business to be had from here to Australia. Dr. Gilsdorf asked Mr. Prier to explain the paper process. Mr. Prier explained that this is not a paper mill and that the papers come to the factory already made and they will apply a special coating or die and ship the papers throughout the world. He also stated that there is no wastewater or emissions with the plant and that typically this type of business shows the lowest return on the investment, however, with the considerable value added to the paper products there is a considerable niche for the market. Mr. Cumston said that he did research the company and found that they are a good company. Mr. Prier said that they do have competitors but that they make a better product. Mr. Schertzer also welcomed them to Marion and asked if there was any chance down the road of expanding. Mr. Prier said that they are looking at a new coating process to bring here in the future.

Mr. Ratliff moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: : YEAS: Mr. Cumston, Mr. Ratliff Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

City Hall – Council Chambers at 7:30 p.m. on January 9, 2007, Page Two

20

Mr. Ratliff moved to adopt with Mr. Thomas seconding. The roll call vote was:
YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs.
Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.


Correspondence – None.

Matters not on the Agenda – Dr. Gilsdorf thanked Mr. Moody for the nice report on the Income Tax revenue. Mr. Thomas agreed. Mr. Schertzer thanked Mr. Bob Moats for sending out a crew on a Friday to take care of sanitation issue. Mr. Thomas asked Mr. Cramer what the latest carryover would be. Mr. Cramer said that it is not all summarized at this point but that it would be at \$3,044,000 and to that all advances are added which will total the carryover at 3.2 million. Mr. Thomas asked if this was taking out the \$700,000? Mr. Cramer said that this is available in the budget. Mr. Ratliff said that he was reviewing the Parks Department minutes and noticed that Busby and Founders Parks have not been turned over to the Parks Department. Mr. Russell said that they are managed by the Safety/service Department and taken care of by the Parks Department. He said that all parks are owned by the City of Marion but these two are managed by the Safety/Service Department. Mr. Sulu Kelley asked when there would be some revisions to the Nuisance Code. Mr. Schertzer explained that after a conversation with the Clerk, the Renters Association would like some time to review and make suggestions, so the committee will wait for these suggestions and they are also looking at additional terminology to define vacant vs. abandoned.

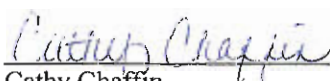
Committee Dates – Tuesday, January 16, 2006

6:15 p.m. Streets & Sewers
6:30 p.m. Finance
7:00 p.m. Traffic Commission
7:15 p.m. Jobs & Economic Development

With no further business to come before council, President Reid adjourned the meeting.



Mr. Phil Reid
PRESIDENT OF COUNCIL



Cathy Chaffin
CLERK OF COUNCIL

Held

City Hall – Council Chambers at 7:30 p.m. on January 22, 2007

20

ROLL CALL – Eight Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Mr. Cumston moved to excuse Mrs. Doyle with Mr. Ratliff seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mrs. Doyle excused.

PRAYER – The invocation was led by Mr. Cumston.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – January 9, 2007.

Mr. Cumston moved to adopt the summary of proceedings for January 9, 2007 with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for January 9, 2007 adopted.

New Business:

RESOLUTION NO. 2007-3

RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF CAROL COLUMBER TO SERVE AS A MEMBER OF THE MARION CITY BOARD OF HEALTH AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. The legislation was added to the agenda by Mayor Kellogg. Mayor Kellogg advised that Carol has done an outstanding job on the board and recommended re-appointment to the Board.

Mr. Cumston moved to suspend the rules of council with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Cumston moved to adopt with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-4

RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO APPLY TO THE MARION COUNTY COMMISSIONERS FOR MONIES DERIVED FROM THE AUTOMOBILE LICENSE TAX, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Streets & Sewers Committee to place on the agenda.

Mr. Thomas moved to suspend the rules of council with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Thomas moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-5

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE A CASH ADVANCE OF \$47,615.41 TO THE DOFASCO TIF FUND FROM THE GENERAL FUND AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

Held

City Hall – Council Chambers at 7:30 p.m. on January 22, 2007, Page Two

20

RESOLUTION NO. 2007-6**RESOLUTION STATING THE COUNCIL'S SUPPORT FOR AFFORDABLE HOUSING AND THE PROJECT BEING PROPOSED BY THE MARION ROTARY SENIOR CITIZENS, INC.**

The legislation's title received its first reading. There was a 3-0 vote from the Jobs & Economic Development Committee to place on the agenda.

Mr. Ratliff moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Ratliff moved to adopt with Mr. Thomas seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-1**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR PUBLIC IMPROVEMENTS ALONG DELAWARE AVENUE AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 2-0 vote from the Streets & Sewers Committee to place on the agenda.

Mr. Thomas moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Thomas moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-2**ORDINANCE DIRECTING THE SAFETY/SERVICE DIRECTOR TO AMEND THE MASTER TRAFFIC CONTROL PLAN/MAP BY MAKING CUMMINS AVE. ONE-WAY SOUTH.**

The legislation's title received its first reading. There was a 3-3 vote from the Traffic Commission to place on the agenda. Mr. Thomas requested a first reading.

Mr. Mark Rose, Director of the Marion Public Library spoke to the members. Mr. Rose advised that there are 38,000 library card holders with an average of 750 to 1000 visitors per day. He said that there are two access points on Cummins Avenue and one on Greenwood into the parking lot and that he is concerned that with making Cummins Avenue a one way safety would be an increased concern. He suggested speed bumps to control the speed. Mr. Thomas noted that there would be a second reading on February 12, 2007 with the third and final reading on February 26, 2007. Mayor Kellogg advised that he has received an email from a resident that does not want a one way street and provided a copy to the members.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-3**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE OF FIVE (5) POLICE VEHICLES FOR THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

Held City Hall – Council Chambers at 7:30 p.m. on January 22, 2007, Page Three 20

ORDINANCE NO. 2007-4**ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.**

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-5**ORDINANCE RE-DECLARING THE CITY OF MARION'S SUPPORT FOR THE DOWNTOWN ECONOMIC DEVELOPMENT COMMITTEE, INCLUDING BUT NO LIMITED TO FINANCIAL SUPPORT IN ORDER TO CONTINUE THE COMMUNITY'S EFFORTS TO REVITALIZE THE DOWNTOWN AREA AND DECLARING AN EMERGENCY.**

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-6**ORDINANCE RE-DECLARING THE CITY OF MARION'S SUPPORT FOR CAN DO! IN ORDER TO CONTINUE THE ECONOMIC PROSPERITY OF THE GREATER MARION AREA AND DECLARING AN EMERGENCY.**

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-7**ORDINANCE EXPRESSING THE FINDINGS OF THE COUNCIL REGARDING THE WASTE WATER TREATMENT PLANT BIO-SOLIDS CONTRACT, DIRECTING THE SAFETY/SERVICE DIRECTOR TO EFFECTUATE THE EXTENSION OF THE EXISTING OPTION YEAR AND DECLARING AN EMERGENCY.**

Mr. Schertzer moved to add the legislation to the agenda with Mr. Thomas seconding and Mr. Cumston providing the third. The legislations title received its first reading. Mr. Schertzer advised that the joint committee of Finance and Streets had voted to reject all bids and exercise the third year option. He said that one of the reasons for this is that we are already in the third year and the city has used the current contractor. Mr. Schertzer said that the legislation also states that the bids are to get to the council prior to the contract expiration. Mayor Kellogg said that the rarely goes against what the council wants but that this will cost \$11,200 more for the third year. He said that this amounts to an additional cost of 3.4 center per customer a year increase and that with tight budgets he will have a difficult time signing the legislation and that he does not believe that we should extend the contract. Dr. Gilsdorf asked when the contract expired. Mr. Russell said that the contract expired on August 19th. Dr. Gilsdorf said that the bids were put out in late October. Mr. Russell said that was correct and that there is a limited issue of liability for the city. Mr. Feldmann said that the contract expired on August 19, and that biosolids were not applied regularly. He said that when the contract had expired there were six loads hauled prior to September 26, 2006 in the amount of \$1,324.00. He said that the ORC allows for him to contract with a vendor up to \$25,000 without a contract and that the advertising was completed on October 6 and October 13, 2006. He said that there is an access road to the

RECORD OF PROCEEDINGS

MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

City Hall – Council Chambers at 7:30 p.m. on January 22, 2007, Page Four

20

plant and that when the staff is in the office you do not see them hauling. He said that there was additional hauls after the bid notice on the 25th, 26th and 28th totaling \$4,321.00 and that they did put a stop to the hauling.

Dr. Gilsdorf asked if the hauling continued by accident. Mr. Feldmann said that the current contractors knew that it was being re-bid and that Burch Hydro can haul the solids cheaper. Dr. Gilsdorf asked why the bids did not go out before the end of the contract. Mr. Feldmann said that this is a two year contract with a third year option. Mr. Ratliff said that the city could be in a not so good position. Mr. Russell said that there is a potential of liability with both vendors. Mr. Ratliff said that this is a prime example of why we need to have three readings on all legislation. Mr. Schertzer asked how much capacity is at the plant. Mr. Feldmann said that currently there is capacity and the solids do fluctuate but that 30 days is not out of the question. Mrs. Blevins asked for a clarification on paragraph two of the ordinance. Mr. Russell advised that paragraph two is a comparison paragraph. Mrs. Pinnick asked what would happen if the legislation fails. Mr. Russell said that there would need to be a plan B and that the legislation does state that the bids are to be completed prior to the contract end. Mrs. Davis said if the legislation does not pass there is still another 30 days of capacity. Mr. Feldmann said that the solids will stack up. Mrs. Davis said that this should have been taken care of earlier. Mayor Kellogg blamed Council for the delay. Mr. Feldmann said that the Neidhart's knew prior to that the city was going to bid the contract and that we have the option of spending \$25,000 to have the solids hauled and that the city has had Burch haul about \$15,000 worth of solids before.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff, Dr. Gilsdorf.

Whereupon, President Reid declared the motion failed.

Correspondence – None.

Matters not on the Agenda – Mr. Sulu Kelley spoke of a sewer bill that he never received which when he did receive the bill, the City department waived the late fee due to no fault of his own and said that he wanted to let others know. Mr. Schertzer thanked the Streets and Sanitation department for the late pickup that they did.

Committee Dates – Monday, February 5, 2007

6:15 p.m. Streets & Sewers
6:30 p.m. Finance
6:45 p.m. Jobs & Economic Development
7:00 p.m. Legislation, Codes & Regulations

Mayor Kellogg gave the State of the City Address.

With no further business to come before council, President Reid adjourned the meeting.



Cathy Chaffin
CLERK OF COUNCIL



Mr. Mike Thomas
PRESIDENT OF COUNCIL
PRO TEMPORE

Held

City Hall – Council Chambers at 7:30 p.m. on February 12, 2007

20

ROLL CALL – Eight Members Answered – Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Mrs. Blevins moved to excuse Mr. Cumston with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Pro Tempore Thomas declared Mr. Cumston excused.

PRAYER – The invocation was led by Mr. Reid.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – January 22, 2007.

Mr. Schertzer moved to adopt the summary of proceedings for January 22, 2007 with Mrs. Pinnick seconding. By a voice vote all members voted in approval.

Whereupon, President Pro Tempore Thomas declared the summary of proceedings for January 22, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-2

ORDINANCE DIRECTING THE SAFETY/SERVICE DIRECTOR TO AMEND THE MASTER TRAFFIC CONTROL PLAN/MAP BY MAKING CUMMINS AVE. ONE-WAY SOUTH.

The legislation's title received its second reading. There was a 3-3 vote from the Traffic Commission to place on the agenda. Mr. Thomas requested a second reading.

Mrs. Blevins advised that she has received several calls from the community and all are opposed to the change on Cummins. Mrs. Doyle said that with the Greenwood Street residents who are opposed to the change because of the increased traffic and Mrs. Doyle questioned what this would do to the traffic on Elm Street. Mr. Schertzer asked if Mr. Bischoff has an idea of what the anticipated flow would be if the change took place. Mr. Bischoff said that his office is currently conducting the traffic counts and that he does anticipate an increase in traffic on the other streets to the east and west of Cummins. Mr. Schertzer said that he did not feel that there was a serious discussion about speed bumps and would like to see that they are considered. He said that with the traffic flowing south there is an issue of turning left onto Mt. Vernon and that at times it is almost impossible to make the turn safely. Mr. Schertzer asked what the possibility would be of turning the portion south of the library a one way south and the northern portion from the library curb cut keeping it a two way street. Mr. Bischoff said that with this he believed it would cause more confusion in the initial stages. Dr. Gilsdorf said that he has also received several calls and not one of these calls were in favor of the one way street. Mrs. Davis said that there is only one street that is a one way and that is Church Street. She said that making another street a one way will only cause additional problems and that she has had no calls in favor of the request. Mr. Tim Combs, President of the Library Association said that the board will be having their regular meeting tomorrow and that he does anticipate a resolution in opposition will be passed by the library. Mrs. Elizabeth Soule said that they would consider speed bumps or speed humps for Cummins. Mr. Thomas said that if the speed bumps or humps are considered the legislation can be taken back to committee.

Whereupon, President Pro Tempore Thomas declared the legislation received its second reading.

ORDINANCE NO. 2007-5

ORDINANCE RE-DECLARING THE CITY OF MARION'S SUPPORT FOR THE DOWNTOWN ECONOMIC DEVELOPMENT COMMITTEE, INCLUDING BUT NOT LIMITED TO FINANCIAL SUPPORT IN ORDER TO CONTINUE THE COMMUNITY'S EFFORTS TO REVITALIZE THE DOWNTOWN AREA AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer thanked the Downtown Organization for the budget information and requested a second reading. Mr. Ratliff asked what was the reason for the emergency clause. Mr. Schertzer advised that this was requested. Dr. Gilsdorf said that the emergency clause is to allow for the legislation to take effect immediately. There was a brief exchange between Mr. Ratliff and Mrs. Davis on the reasoning for the emergency clause.

Whereupon, President Pro Tempore Thomas declared the legislation received its second reading.

Held

City Hall – Council Chambers at 7:30 p.m. on February 12, 2007, Page Two

20

ORDINANCE NO. 2007-7

ORDINANCE EXPRESSING THE FINDINGS OF THE COUNCIL REGARDING THE WASTE WATER TREATMENT PLANT BIO-SOLIDS CONTRACT, DIRECTING THE SAFETY/SERVICE DIRECTOR TO EFFECTUATE THE EXTENSION OF THE EXISTING OPTION YEAR AND DECLARING AN EMERGENCY.

The legislation's title received its Second Reading. There was a 4-0 vote from the Joint Committee of Streets & Sewers and Finance to place on the agenda.

Mr. Schertzer said that there has been a flurry of letter writing about the issue of biosolids and that he prepared a graph which shows the last two years savings when the council chose the current contractor over the recommendations of the administration and that this sum was over \$54,000. Mr. Schertzer said that the council has been told that there are financial issues with the third year option and he is not sure where this comes from with the savings that has been received over the last two years. Dr. Gilsdorf said that in going back and looking at a two year contract the city should take the lowest and best bid.

Mr. Schertzer moved to suspend the rules of council with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff, Dr. Gilsdorf, Mrs. Davis.

Whereupon, President Pro Tempore declared the motion failed and that the legislation received its second reading.

New Business:**RESOLUTION NO. 2007-7**

A RESOLUTION RECOMMENDING THAT THE MARION COUNTY BOARD OF COMMISSIONERS ENTER INTO AN AGREEMENT WITH MARION INDUSTRIES, 999 KELLOGG PARKWAY IN THE CITY OF MARION FOR THE PURPOSE OF ABATEMENT OF REAL PROPERTY TAX ON A BUILDING ADDITION AT ITS MANUFACTURING FACILITY, AT THE SAME LOCATION, TO ENCOURAGE THEM TO EXPAND AND CREATE JOBS, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Jobs & Economic Development Committee to place on the agenda.

Mr. Ratliff moved to suspend the rules of council with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Ratliff moved to adopt with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

RESOLUTION NO. 2007-8

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE A CASH ADVANCE OF UP TO \$52,650 TO THE DOFASCO TIF FUND FROM THE GENERAL FUND.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

RESOLUTION NO. 2007-9

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$25,000 TO THE VIOLENCE AGAINST WOMEN INITIATIVE FUND FROM THE GENERAL FUND.

City Hall – Council Chambers at 7:30 p.m. on February 12, 2007, Page Three
Held _____ 20 _____

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

RESOLUTION NO. 2007-10

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$25,000 TO THE SCHOOL RESOURCE OFFICER FUND FROM THE GENERAL FUND.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

RESOLUTION NO. 2007-11

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$25,000 TO THE COMMUNITY CORRECTIONS FUND FROM THE GENERAL FUND.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

RESOLUTION NO. 2007-12

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$15,000 TO THE CHIP FUND FROM THE GENERAL FUND.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

RESOLUTION NO. 2007-13

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$100,000 TO THE MARION AREA TRANSIT FUND FROM THE GENERAL FUND.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

RECORD OF PROCEEDINGS

MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on February 12, 2007, Page Four

Held

20

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

RESOLUTION NO. 2007-14

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$80,000 TO THE WIC FUND FROM THE GENERAL FUND.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-8

ORDINANCE APPROVING THE MODIFICATION OF A CAFETERIA PLAN WITHIN THE CONTEXT OF SECTION 125 OF THE I.R.S. CODE IN ORDER TO COMPLY WITH FEDERAL LAW, AND AUTHORIZING THE MAYOR TO EXECUTE SAID DOCUMENT.

The legislation's title received its first reading. There was a 2-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda.

Mrs. Blevins moved to suspend the rules of council with Mrs. Doyle seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mrs. Blevins moved to adopt with Mrs. Doyle seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-9

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PURCHASE FROM OHIO TRANSMISSION & PUMP OF COLUMBUS, OHIO, TWO PUMPS TO BE USED AT THE LINCOLN PARK LIFTSTATION.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-10

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE 2007 TREE REMOVAL PROGRAM, PROJECT 07-1M, IN THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda.

0385

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on February 12, 2007, Page Five
Held 20

Mrs. Pinnick moved to suspend the rules of council with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-11

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH HURON LIME, IND. FOR THE PURCHASE OF LIME TO BE USED AT THE WATER POLLUTION CONTROL PLANT.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-12

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

Correspondence – None.

Matters not on the Agenda – Mrs. Doyle thanked everyone for their letters, cards and calls during her time off. Mr. Schertzer said that he has received petitions and a letter in support of a traffic signal at Barks & Wellness Drive and asked if there was a status on the light. Mr. Bischoff said that there would need to be a traffic study and that the Barks Road TIF may be able to pay for the costs. Mr. Thomas said that he believed that the traffic signal was built into the rezoning with Mr. Domo. Mr. Lengieza said that he was not sure but that he would look into the matter.

Mr. Mark Russell provided his annual report to the council in which the report reflects collections of over \$368,000 last year which also pays 98.4% of his total budget. Mr. Russell highlighted the conviction rate of over 90% and that his office is continually looking for ways to cut waste and prevent needless delay.

Committee Dates – Tuesday, February 20, 2007

6:00 p.m. Traffic Commission
6:15 p.m. Streets & Sewers
6:30 p.m. Finance
6:45 p.m. Airport, Lands & Buildings
7:00 p.m. Legislation, Codes & Regulations
7:15 p.m. Jobs & Economic Development

0586

RECORD OF PROCEEDINGS

Minutes of

MARION CITY COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

City Hall – Council Chambers at 7:30 p.m. on February 12, 2007, Page Six

20

With no further business to come before council, President Reid adjourned the meeting.

Cathy Chappin
Cathy Chappin
CLERK OF COUNCIL

Mike Thomas
Mr. Mike Thomas
PRESIDENT OF COUNCIL
PRO TEMPORE

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0387

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held City Hall – Council Chambers at 7:30 p.m. on February 26, 2007 20

ROLL CALL – Seven Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Mr. Schertzer moved to excuse Mrs. Blevins and Mrs. Pinnick with Mrs. Davis seconding. By a voice vote all members voted in approval.

Whereupon, President Pro Tempore Thomas declared Mrs. Blevins and Mrs. Pinnick excused.

PRAYER – The invocation was led by Mr. Cumston.

PLEDGE OF ALLEGIANCE was led by President Pro Tempore Thomas.

MINUTES – Summary of proceedings of council meeting – February 12, 2007.

Mr. Cumston moved to adopt the summary of proceedings for February 12, 2007 with Mr. Ratliff seconding. By a voice vote all members voted in approval.

Whereupon, President Pro Tempore Thomas declared the summary of proceedings for February 12, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-2

ORDINANCE DIRECTING THE SAFETY/SERVICE DIRECTOR TO AMEND THE MASTER TRAFFIC CONTROL PLAN/MAP BY MAKING CUMMINS AVE. ONE-WAY SOUTH.

The legislation's title received its third reading. There was a 3-3 vote to place on the agenda.

Mr. Schertzer advised that he will vote for the issue tonight but would like the members to continue to look at speed bumps or humps for the street. He said that he is not necessarily saying he would vote to put in speed bumps or humps but that he will be voting in favor of the legislation. Mr. Davis said that she will be voting against the legislation because of the public institution located on the street. Mrs. Davis further said that she would like to see the matter go back to committee. Mrs. Doyle said that she will be voting against the legislation and that she has received several calls against the change and that she feels the speed would increase with making the street a one way. Mr. Thomas advised that he will be voting for the legislation and added that there has been a lot of discussion about the street and the condition of Cummins. He said that this is a narrow street with on street parking and that he supports the change. Mr. Mark Rose, Director of the Marion Public Library advised that the Library Board had passed a resolution opposing the change. He said that the Library would be willing to entertain other options.

Mrs. Davis moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mr. Schertzer. NAYS: Mr. Ratliff, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis.

Whereupon, President Pro Tempore Thomas declared the motion failed.

ORDINANCE NO. 2007-5

ORDINANCE RE-DECLARING THE CITY OF MARION'S SUPPORT FOR THE DOWNTOWN ECONOMIC DEVELOPMENT COMMITTEE, INCLUDING BUT NO LIMITED TO FINANCIAL SUPPORT IN ORDER TO CONTINUE THE COMMUNITY'S EFFORTS TO REVITALIZE THE DOWNTOWN AREA AND DECLARING AN EMERGENCY.

The legislation's title received its third reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Ratliff said that he had asked about the emergency clause at the last meeting and advised that he found that this year it is necessary because the downtown fund has been depleted and there are upcoming events scheduled.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-7

ORDINANCE EXPRESSING THE FINDINGS OF THE COUNCIL REGARDING THE WASTE WATER TREATMENT PLANT BIO-SOLIDS CONTRACT, DIRECTING THE SAFETY/SERVICE DIRECTOR TO EFFECTUATE THE EXTENSION OF THE EXISTING OPTION YEAR AND DECLARING AN EMERGENCY.

Held

City Hall – Council Chambers at 7:30 p.m. on February 26, 2007, Page Two

20

The legislations title received its third reading. There was a 4-0 vote from the Joint Committee of Streets & Sewers and Finance to place on the agenda.

Mr. Schertzer moved to postpone the legislation until March 12, 2007 with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation postponed until March 12, 2007.

New Business:

RESOLUTION NO. 2007-15

RESOLUTION AUTHORIZING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. Mr. Ratliff asked if the city would be out of the program if the legislation was not passed this evening. Mr. Cobb said that he did not believe the city would be out of the program. Mr. Schertzer said that this is the first step in the process and that the city does want to participate. Mr. Cobb agreed. Dr. Gilsdorf said that we do not know for certain if the city would be out of the program. Mr. Cramer advised that the membership date is July 1 to and that this is a formality with ODOT and that the request must be on file each year. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Pro Tempore Thomas declared the motion failed.

Mr. Cumston moved to reconsider the motion with Dr. Gilsdorf seconding. Mr. Cumston said that this is a limited market and that with a critical issue of purchasing the emergency clause is necessary to have the paperwork filed timely. Mr. Ratliff said that he does not feel this is an emergency and that he would like to see three readings on all legislation. Mr. Cobb said that this is passed every year and that the issue of participation is not a contentious issue and further that he would hate to see a date missed by going three readings on the legislation. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Pro Tempore Thomas declared the motion for reconsideration approved.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Pro Tempore Thomas declared the motion failed and that the legislation received its first reading.

RESOLUTION NO. 2007-16

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR AFFORDABLE HOUSING AND THE PROJECT BEING PROPOSED BY THE WODA GROUP LLC.

The legislations title received its first reading. There was a 3-0 vote from the Jobs & Economic Development Committee to place on the agenda.

Mr. Ratliff said that Mr. Jeff Woda was here this evening to answer any questions and that he had a couple of questions on how the financing of the project works for the income levels. Mr. Jeff Woda of the Woda Group advised that they intend to build a 60 unit single family homes and the financing to be used is the housing tax credits as well as the conventional mortgage. He said that there are two main components of the financing the first is the investor equity which is in exchange for the Federal Tax Credits and the second portion is a typical mortgage or standard Debt. He said that the tax credit dollars are used to attract investors which generates funds for the project. Mr. Ratliff asked Mr. Woda to explain how a family with an average income of \$30,000 a year will be able to own the property if the fair market value is \$100,000 to \$150,000 for the home. Mr. Woda advised that the tenants are given credit over the fifteen year period for a portion of the rents paid. He said that after the 15 years the tenant may purchase the home they are currently residing in and that the home is sold for fair market value at the time. He said that the tenant builds equity and that the home is sold with a payment that fits the income level and the difference is placed into a forgivable loan. Mr. Woda provided the example of a home that is sold at FMV of \$130,000 and the buyer can only afford \$80,000 the \$50,000 is the soft mortgage

City Hall – Council Chambers at 7:30 p.m. on February 26, 2007, Page Three
Held 20

that can be forgiven. He said that part of the tax credit requirements is that the purchaser must meet the requirements on income. Mr. Woda further advised that without the soft mortgage for the difference it would hurt the surrounding properties and their values. Mrs. Davis asked about the deadline. Mr. Woda said that the entire process has changed in that the application is due the first of June.

Mr. Cumston said that currently there are 130 homes on the slum & blight list and that he always wonders why the Federal Government will give funding for a new area and not keep the inner city areas going. He said that he would like to see some of the projects used to revitalize the inner city and asked if this was an option for the group. Mr. Woda said that this is an option for the company in the future once they get established in the community they can begin to see what they can do. Mr. Cumston asked if there was any issue with zoning. Mr. Lengieza advised that the area is currently zoned R-2 and that the plans that have been shown in the past fits within the requirements. Mr. Woda said that if the group can get the financing they would love to look at revitalizing the older areas. Mr. Cumston said that if they would look into this he would support the project. Dr. Gilsdorf inquired about the market study and said that with the City being a mortgage holder on the Harding Centre, and the centre is not fully rented he is curious about the study. Mr. Woda said that he does not feel the homes will be in competition with the Harding as his group will be targeting younger families who are looking at homes. Mr. Thomas asked how much of the rent paid over the 15 years would be credited toward the home purchase. Mr. Woda advised that it would be 50% if they were tenants over the 15 year span. Mr. Thomas used the example of a family that would have paid \$600 a month with a 50% credit of \$300 per month applied to the property over the 15 years, equals \$69,000. Mr. Woda said that it depends on the income level and where they fall but his company is estimating around \$50,000 as the credit. Mr. Thomas asked if this has been done before. Mr. Woda said that in his other projects none have made it to the 16th year but that this has been done before with others.

Whereupon, President Pro Tempore Thomas declared the legislation received its first reading.

ORDINANCE NO. 2007-13

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MATHEWS-KENNEDY FORD, INC. FOR THE PURCHASE OF FIVE (5) VEHICLES FOR THE POLICE DEPARTMENT; THE NECESSARY EQUIPMENT FOR THESE VEHICLES, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-14

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Ratliff asked why there was a need to pass the legislation this evening. Mr. Cramer advised that this is the federal funds from the grant and that in order for him to sign the purchase orders the appropriation needs to be completed. Chief Gruber advised that the grant is 90% from FEMA with the 10% local match and that the equipment is failing and needs to be replaced and that there is a 60 day window for purchase. Mr. Schertzer said that the current defibrillators are failing and that this is a life saving piece of equipment which could save lives. Mrs. Davis asked if the emergency clause was needed. Mr. Cramer said that the appropriation does not need the emergency clause.

RECORD OF PROCEEDINGS

MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10143

Held

City Hall – Council Chambers at 7:30 p.m. on February 26, 2007, Page Four

20

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-15

ORDINANCE AUTHORIZING THE MARION AREA COMMUNITY IMPROVEMENT CORPORATION (CIC) TO ACT ON BEHALF OF THE CITY OF MARION TO EXECUTE A LEASE/PURCHASE OPTION OF REAL PROPERTY TO THE STEVENS CONSTRUCTION COMPANY AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Airport, Lands & Buildings Committee to place on the agenda.

Mr. Stover advised that this was a standard lease/purchase agreement which includes all the boiler plant language and that this is a small parcel and that the reason for the emergency clause is that the tenant wants to get started as soon as possible. Mr. Cumston commended Mr. Stover for his work and thanked the local companies for investing in Marion.

Mrs. Doyle moved to suspend the rules of council with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mrs. Doyle moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-16

ORDINANCE AUTHORIZING THE MARION AREA COMMUNITY IMPROVEMENT CORPORATION (CIC) TO ACT ON BEHALF OF THE CITY OF MARION TO EXECUTE A LEASE/PURCHASE OPTION OF REAL PROPERTY TO THE SLOB AND SONS PIPE AND CASING COMPANY AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Airport, Lands & Buildings Committee to place on the agenda.

Mr. Stover advised that this also was a standard lease/purchase agreement which includes all the boiler plant language. He said that Mr. Claborn is here as well as representatives from Slob & Sons to answer any questions. Mr. Claborn provided pictures of both project sites and said that it is good we have local companies investing in the community. Mr. Claborn said that the Slob & Sons Company is currently located in Marion at an 11,000 sq. ft. facility and that this would provide the company a chance to grow. Mr. Vaughn Sizemore spoke on behalf of Slob & Sons. He said that currently the company has had to walk away from business because of the limited space. He said that the new facility of 47,000 sq. ft. this will allow for growth and expansion which would include increasing employment from 6 now to 25 to 30 in the future. He said that the company manufactures rolled pipe and they're excited to get started. Mr. Sizemore said that the financing is done through a local bank also. Dr. Gilsdorf said that the emergency clause is needed because time is of the essence. Mr. Mike Slob said that it was and thanked Council for their consideration. Mr. Cumston thanked the company for investing local and Mrs. Doyle congratulated them on their expansion.

Mrs. Doyle moved to suspend the rules of council with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

City Hall – Council Chambers at 7:30 p.m. on February 26, 2007, Page Five
 Held _____ 20 _____

Mrs. Doyle moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-17

ORDINANCE DIRECTING THE SAFETY/SERVICE DIRECTOR TO AMEND THE MASTER TRAFFIC CONTROL PAN/MAP BY REMOVING EXISTING STOP SIGNS LOCATED UPON PARK BLVD. AT COLUMBIA STREET.

The legislation's title received its first reading. There was a 7-0 vote from the Traffic Commission to place on the agenda. Mr. Thomas moved to suspend the rules of council with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Pro Tempore Thomas declared the motion failed and the legislation received its first reading.

ORDINANCE NO. 2007-18

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH ZOLL, INC. TO PURCHASE TWO (2) DEFIBRILLATORS FOR USE AT THE MARION FIRE DEPARTMENT AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

Correspondence – None.

Matters not on the Agenda – Mrs. Davis read a brief statement to the members stating that after 14 years on council she has decided to take a break and not seek reelection. She said that she plans on staying involved and that she has always had Marion's best interest at heart. Mrs. Davis thanked everyone for their support and friendship as well as thanking her family and friends. Mr. Thomas said that while they may not have always agreed, it has been an enjoyable experience working with Mrs. Davis and wished her the best of luck. Dr. Gilsdorf commended the city departments for doing a good job during the last big snow fall.

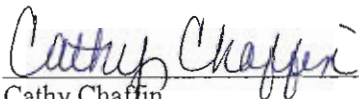
Committee Dates – Monday, March 5, 2007

6:00 p.m. Streets & Sewers
 6:15 p.m. Traffic Commission
 6:30 p.m. Finance
 6:45 p.m. Legislation, Codes & Regulations

With no further business to come before council, President Pro Tempore Thomas adjourned the meeting.



Mr. Phil Reid
 PRESIDENT OF COUNCIL



Cathy Chaffin
 CLERK OF COUNCIL

RECORD OF PROCEEDINGS

MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

City Hall – Council Chambers at 7:30 p.m. on March 12, 2007

20

ROLL CALL – Eight Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Mr. Cumston moved to excuse Mrs. Blevins with Mr. Thomas seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mrs. Blevins excused.

PRAYER – The invocation was led by Mr. Cumston.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – February 26, 2007.

Mr. Cumston moved to adopt the summary of proceedings for February 26, 2007 with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for February 26, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-7

ORDINANCE EXPRESSING THE FINDINGS OF THE COUNCIL REGARDING THE WASTE WATER TREATMENT PLANT BIO-SOLIDS CONTRACT, DIRECTING THE SAFETY/SERVICE DIRECTOR TO EFFECTUATE THE EXTENSION OF THE EXISTING OPTION YEAR AND DECLARING AN EMERGENCY.

The legislations title was read. There was a 4-0 vote from the Joint Committee of Streets & Sewers and Finance to place on the agenda.

Mr. Schertzer moved to adopt with Mr. Thomas seconding. Dr. Gilsdorf referenced a letter from Sandy Cramer in which the question was posed if there was a lower and best bidder why the council would not go with this company. He said that he is not sure what is proposed is legal and he is not sure that it is the right thing to do and that is why he will be voting no on the legislation. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Doyle, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff, Dr. Gilsdorf, Mrs. Davis.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-15

RESOLUTION AUTHORIZING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM.

The legislations title received its second reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. Mr. Don Fleming, 2710 Richland Road spoke to the members. He said that he is opposed to the purchase of any new busses and that he has documented over 200 incidents of busses sitting empty and idle with some on Wellness Drive. He said that he has seen three busses 12 miles out of the city. Mr. Reid said that this ordinance relates to the state purchase program and not the transportation program of the city and that Mr. Fleming needs to keep his comments to the legislation and not the bus program. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-16

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR AFFORDABLE HOUSING AND THE PROJECT BEING PROPOSED BY THE WODA GROUP LLC.

The legislations title received its second reading. There was a 3-0 vote from the Jobs & Economic Development Committee to place on the agenda. Mr. Ratliff requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

0393

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on March 12, 2007, Page Two
Held 20

ORDINANCE NO. 2007-17

ORDINANCE DIRECTING THE SAFETY/SERVICE DIRECTOR TO AMEND THE MASTER TRAFFIC CONTROL PAN/MAP BY REMOVING EXISTING STOP SIGNS LOCATED UPON PARK BLVD. AT COLUMBIA STREET.

The legislations title received its second reading. There was a 7-0 vote from the Traffic Commission to place on the agenda.

Mr. Thomas moved to suspend the rules of council with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Thomas moved to adopt with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

New Business:

RESOLUTION NO. 2007-17

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$370,000 TO THE AIRPORT IMPROVEMENT FUND FROM THE GENERAL FUND, AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-19

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-20

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RECORD OF PROCEEDINGS

MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

City Hall – Council Chambers at 7:30 p.m. on March 12, 2007, Page Three

20

ORDINANCE NO. 2007-21

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR ASPHALT.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-22

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH LAFAYETTE ELECTRIC, INC. FOR THE DELAWARE AVENUE WALGREEN'S TRAFFIC SIGNAL IMPROVEMENTS FOR THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Cramer advised the members that the ordinance was discussed at committee and that the appropriation was requested but left out of the legislation and that would need to be added. He said that under the IRS regulations he has filed a letter of intent to repay the funds once the borrowing is complete. Mr. Schertzer asked what the time constraints are with the legislation. Mr. Cramer said that the project is set to complete by May 1.

Mr. Schertzer moved to amend the legislation to add the appropriation with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the amendment adopted.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-23

ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE TRANSFER OF CERTAIN REAL PROPERTY OWNED BY THE CITY, NECESSARY FOR USE RELATED TO THE NORTHWEST INDUSTRIAL CONNECTOR AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

0395

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on March 12, 2007, Page Four

Held

20

ORDINANCE NO. 2007-24

ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PURCHASE NECESSARY LANDS ADJACENT TO THE MARION MUNICIPAL AIRPORT TO FACILITATE LONG TERM PLANS AND COMPLYING WITH ALL FEDERAL REQUIREMENTS TO ENSURE THE RECEIPT OF ASSISTANCE FROM THE FAA AND DECLARING AN EMERGENCY. (Airport, Lands & Buildings 2-0; Finance Committee 2-0)

The legislation's title received its first reading. There was a 2-0 vote from the Airport, Lands & Buildings Committee and a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

Matters not on the Agenda – Mr. Don Fleming, 2710 Richland Road, spoke to the members. He asked what the land being purchased for the airport would be used for other than a runway. Mr. Reid said that the other land would be used as farmland. Mayor Kellogg said that the land would be leased as farmland. Mr. Fleming alluded to special favors being granted to a few when the city says that it has no money but can purchase the land. Mr. Russell disputed the allegations and said that the Ohio Revised Code dictates the transactions of the city. Mr. Schertzer followed with the funding that is used to purchase the land is grant funds from the FAA and said that this will allow for growth at the airport and said that the Marion Airport is the only airport that is not landlocked. Mr. Fleming spoke of a \$100,000 advance that was completed last year and asked if the funds have been repaid. Mr. Cramer said that they are repaid immediately without council action once the funds are received. Mr. Fleming asked why the airport needs a runway extension and named several planes that land at the existing runway. Mayor Kellogg said that the sellers would not sell a strip of land without selling the farm. He said that the extension is needed for the larger aircraft since the incident in Chicago the FAA is requiring a 7000 foot runway. Dr. Gilsdorf said that with businesses increased use of the facility they sometimes need longer runways with protections and that these same businesses are providing jobs in Marion. Dr. Gilsdorf further noted that the planes are getting larger. Mrs. Davis said that the FAA is paying for 90% of the costs and the city pays very little. She said that our tax dollars are coming back to the community.

Mr. Ed Christian spoke to the members and read a statement into the records. He said that he has been here several times and that recently a friend received a call from a councilman about homes being torn down and he said he agrees that if an owner is not going to care for their property then something should be done. He said that there are enough laws on the books which are enforced by the Health Department and that someone wants to create a \$75,000 a year position and two positions at \$48,000 for their personal friends. Mr. Reid advised Mr. Christian that there is no issue pending before council on the subject. Mr. Russell said that he can provide Mr. Christian with a copy of the ordinance that he is speaking of and said that the issue not before the committee of council or council and suggested that Mr. Christian speak with the council members after the meeting. Mr. Christian said another topic is the emergency clause and suspension of the rules. Mr. Reid said that the Clerk can provide a copy of the Council Rules to Mr. Christian so he can review these items. Mr. Christian then stated that the FBI investigates crooks. Mr. Reid advised Mr. Christian that if he had a concern such as this to talk with Chief Bell.

Mr. Ralph Hill said that he had received a call from a woman and was told that the legislation was denied. (Nuisance legislation) He said that the proposal had in it that people could come into the home and check the hot water tank temperature and other items and being blamed for something. Mr. Hill read the 4th Amendment of the Constitution to the members and said that the argument is seizing without cause. Mr. Hill quoted the King of England and said that we keep making Ordinances and Laws to create more power and that the city does not need more power. He said that the lady who called him spoke about cats. Mr. Reid suggested that Mr. Hill come to a committee meeting of Codes and discuss his ideas on the matter with the members. Mr. Hill said that all legislation must be read three times and published three times before passing anything.

Mr. Danny Cooper asked why the money that is being spent on the airport could not be taken and used to fix some of the streets. Mr. Schertzer said that the FAA funds are not allowed to be used for any other purpose than the airport. Mr. Cooper asked if the streets can be fixed in the area of Merchant Avenue and surrounding streets. Mayor Kellogg said that they are aware of the problems with the streets in the area and they thought that the matter was resolved but after the winter the

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on March 12, 2007, Page Five

Held

20

problem does still exist and that they are working towards a solution. Mayor Kellogg said that each year there is approximately \$700,000 to \$800,000 spent on the streets. Mr. Ratliff asked if this street was on the list. Mayor Kellogg said not all of them are on the list as there is a bigger problem that will require tearing up all of the streets and removing the CDF. Mr. Reid suggested that Mr. Cooper come to a streets committee. Mr. Thomas asked Mr. Cooper to speak with him after the meeting.

Rosa Lemaster spoke to the members and asked what does this mean to advertise for bids under Ordinance 2007-21. Mr. Schertzer said that the city wants to purchase asphalt and because there is money involved they seek out the lowest and best bidder. Ms. Lemaster said that she has a big problem with this when the extension is not going with the lowest and best bidder. Mr. Schertzer said that that particular contract has a third year option and that there has been a net savings with using this firm. Ms. Lemaster said that this is not saving money by not going with the lowest bidder. Mr. Schertzer said that the council always prefer to keep the tax dollars local and that two years ago the administration wanted council to go with a firm that was \$13.99 per ton and they chose to go with the firm at \$12.00 per ton and that a real problem with this is that the bid got out late. Ms. Lemaster said that she is all for keeping it in the county but the lowest bid should be the one. Mayor Kellogg said that he will not be signing the legislation and it will take effect in 30 days. Mr. Don Fleming said that he has handled thousands of bids and he is not against the mission but management.

Nicholas Monroe said that as his grandfather said on the 4th Amendment he has seen a lady pickup litter and when he came back from a bike ride he saw the same litter on his front yard.

Mr. Don Coon asked about who controls the traffic signals because he sat for 40 seconds on Prospect Street when there was no traffic. Mr. Coon also mentioned on North Main and Hazen the potholes are as big as manholes and said for the city to get off their duff and fix these. He said that this is a good case for litigation.

Mr. Reid thanked everyone for the comments and noted to the students in the room that this is democracy in action. Mr. Ratliff said that he is disappointed that council is not and was not more receptive to those who spoke tonight.

Committee Dates – Tuesday, March 20, 2007

6:30 p.m. Finance

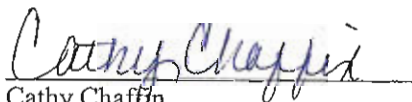
6:45 p.m. Airport, Lands & Buildings

7:00 p.m. Legislation, Codes & Regulations

With no further business to come before council, President Reid adjourned the meeting.



Mr. Phil Reid
PRESIDENT OF COUNCIL



Cathy Chaffin
CLERK OF COUNCIL

0397

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on March 26, 2007

Held

20

ROLL CALL – Six Members Answered – Mr. Cumston, Mr. Ratliff, Mrs. Doyle, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer.

Mr. Schertzer moved to excuse Mr. Thomas, Mrs. Blevins and Mrs. Davis with Mr. Cumston seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mr. Thomas, Mrs. Blevins and Mrs. Davis excused.

PRAYER – The invocation was led by Mr. Cumston.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – March 12, 2007.

Mr. Cumston moved to adopt the summary of proceedings for March 12, 2007 with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for March 12, 2007 adopted.

Old Business:

RESOLUTION NO. 2007-16

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR AFFORDABLE HOUSING AND THE PROJECT BEING PROPOSED BY THE WODA GROUP LLC.

The legislations title received its third reading. There was a 3-0 vote from the Jobs & Economic Development Committee to place on the agenda.

Mr. Ratliff moved to adopt with Mr. Schertzer seconding.

Dr. Gilsdorf said that this is not the first time the council is seeing the proposal and that those who are building are going to make money, those who are receiving the tax credits are going to make money and those who are proposing the development is going to make money and those buying are not. Dr. Gilsdorf said that this reminds him of the recent articles about sub prime lending and that even realtors will agree that most people remain in a home 5 to 7 years. He said that with the cost of the property and the income levels he does not know how people will be able to afford these mortgages and he cannot support the measure. Mr. Cumston said that he does not believe in government subsidies and he would not support this project. He said that if this was to help in the slum and blight areas or poorer areas of the city that would be a better project. Mr. Cumston further said that with him owning some rental properties he does not want his opinion to be misconstrued and that he would be abstaining from the vote this evening. Mr. Schertzer said that he could not disagree with what has been said that this project is located in an area of the city that needs development and he would be voting for the measure. He said that he has not seen anyone come forward that is reputable to address the areas of the city that needs it most and he would like to see these areas addressed. Mr. Ratliff said that there were three proposals last year and that the council passed one. He said that he liked the placement of this project and it does give individuals an opportunity to own a home.

The roll call vote was: Mr. Cumston – Abstain. YEAS: Mr. Ratliff, Mrs. Doyle, Mrs. Pinnick, Mr. Schertzer. NAYS: Dr. Gilsdorf.

Whereupon, President Reid declared the legislation failed to receive the five votes in favor for passage.

New Business:

ORDINANCE NO. 2007-25

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007 26

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$ 400,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS ASSOCIATED WITH PUBLIC IMPROVEMENTS RELATED TO DELAWARE AVENUE TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

RECORD OF PROCEEDINGS **MARION CITY COUNCIL**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on March 26, 2007, Page Two

Held

20

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-27

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE OF TWO (2) 4 X 4 PICK UP TRUCKS WITH SNOW PLOWS AND TWO (2) DUMP TRUCKS WITH SNOW PLOWS AND SPREADERS FOR THE STREETS DEPARTMENT.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-28

ORDINANCE STATING THE COUNCIL OF MARION'S APPROVAL OF LYNN M. CLABAUGH'S APPLICATION TO DESIGNATE CERTAIN LANDS WITHIN THE MUNICIPALITY AS AGRICULTURAL DISTRICT PURSUANT TO O.R.C. 929 ET. AL.

The legislations title received its first reading. There was a 2-0 vote from the Airport, Lands & Buildings Committee to place on the agenda. Mrs. Pinnick requested a public hearing. President Reid opened the matter for public hearing. There being no comments, President Reid closed the public hearing. Mrs. Pinnick advised that with the statutory requirements and due to the suspension of the rules not being able to be completed, asked for a first reading.

Whereupon, President Reid declared the legislation received its first reading.

Mrs. Pinnick moved to hold a special council meeting for Ordinance No. 2007-28 on Monday, April 12, 2007 at 7:00 p.m. with Mr. Schertzer seconding and Mr. Cumston providing the third.

Whereupon, President Reid declared that there would be a special meeting held on April 2, 2007 at 7:00 p.m. for Ordinance No. 2007-28.

Public Hearing on Grants Available: Mrs. Evelyn Cummings of Regional Planning spoke to the members about the available grants to the City of Marion. She advised that the Ohio Department of Development has a variety of grants such as the formula Program, CHIP Grant, Community Distress and others in the attached list. Mrs. Cummings further advised that applications for projects will be accepted through April 4, 2007 at 4 p.m. at the Regional Planning office. Mrs. Cummings advised that on April 17, 2007 applicants will present their proposed projects to the Committee of Jobs & Economic Development and on April 26th to the Regional Planning Commission. Mrs. Cummings advised that the commission will make recommendations to the committee for review and selection on May 1 with a first reading on council to take place on May 8th, a second reading on May 22 and if needed a third reading on June 12th with an application deadline to the state of July. She advised that these applications would be for the 2008 calendar year and that some of the requirements can include slum and blight as well as low to moderate income areas. Mrs. Cummings further reviewed the attached grants that are available including the Downtown Revitalization grant. She further advised that if anyone is interested in the fair housing requirements to please contact Regional Planning.

There being no further discussion, President Reid closed the public hearing.

Matters not on the Agenda – Mr. Reid welcomed the St. Mary Junior Girl Scout Troop #64 to council who were earning the My Community Merit Badge. Mrs. Doyle commended the Girl Scouts for coming as she has been a girl scout for 57 years. Mr. Cumston presented a plaque to Mrs. Doyle thanking her for her service on Council and to the citizens of the Fifth Ward.

RECORD OF PROCEEDINGS

0399

Minutes of

MARION CITY COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on March 26, 2007, Page Three
Held _____ 20 _____

Committee Dates – Monday, April 2, 2007

6:15 p.m. Streets & Sewers
6:30 p.m. Finance
7:00 p.m. Special Council
7:15 p.m. Traffic Commission

With no further business to come before council, President Reid adjourned the meeting.



Mr. Phil Reid
PRESIDENT OF COUNCIL



Cathy Chaffin
CLERK OF COUNCIL

RECORD OF PROCEEDINGS
MARION CITY COUNCIL, SPECIAL MEETING

DAYTON LEGAL BLANK, INC., FORM NO. 10145

Held

City Hall -- Council Chambers at 7:00 p.m. on April 2, 2007

20

ROLL CALL -- Seven Members Answered -- Mr. Cumston, Mr. Ratliff, Mr. Thomas, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Mrs. Davis moved to excuse Mrs. Blevins with Mr. Thomas seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mrs. Blevins excused.

PLEDGE OF ALLEGIANCE was led by President Reid.

Old Business:**ORDINANCE NO. 2007-28****ORDINANCE STATING THE COUNCIL OF MARION'S APPROVAL OF
LYNN M. CLABAUGH'S APPLICATION TO DESIGNATE CERTAIN LANDS
WITHIN THE MUNICIPALITY AS AGRICULTURAL DISTRICT PURSUANT
TO O.R.C. 929 ET. AL.**

The legislation's title received its second reading. There was a 2-0 vote from the Airport, Lands & Buildings Committee to place on the agenda.

Mrs. Pinnick moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

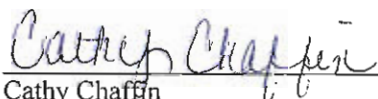
Mrs. Pinnick moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

With no further business to come before council, President Reid adjourned the meeting.



Mr. Phil Reid
PRESIDENT OF COUNCIL



Cathy Chaffin
CLERK OF COUNCIL

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on April 9, 2007Held20

ROLL CALL – Eight Members Answered – Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis and Mr. Schertzer.

Mr. Cumston moved to excuse Mr. Thomas with Mrs. Davis seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mr. Thomas excused.

PRAYER – The invocation was led by Mr. Cumston.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – March 26, 2007.

Summary of proceedings of the special council meeting – April 2, 2007.

Mr. Cumston moved to adopt the summary of proceedings for March 26, 2007 and April 2, 2007 with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for March 26, 2007 and April 2, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-25

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007 26

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$ 400,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS ASSOCIATED WITH PUBLIC IMPROVEMENTS RELATED TO DELAWARE AVENUE TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

ORDINANCE NO. 2007-27

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE OF TWO (2) 4 X 4 PICK UP TRUCKS WITH SNOW PLOWS AND TWO (2) DUMP TRUCKS WITH SNOW PLOWS AND SPREADERS FOR THE STREETS DEPARTMENT.

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

New Business:

City Hall – Council Chambers at 7:30 p.m. on April 9, 2007, Page Two

Held

20

RESOLUTION NO. 2007-18

A RESOLUTION SUPPORTING THE IMPLEMENTATION OF THE COMBINE SEWER OVERFLOW LONG TERM CONTROL PLAN, PROVIDING FOR THE INVESTIGATION AND CONSTRUCTION SCHEDULE AS SUBMITTED TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY ON MARCH 1, 2007.

The legislation's title received its first reading. There was a 2-0 vote from the Streets & Sewers Committee to place on the agenda. Mr. Schertzer said that he understands the need for the plan and asked if there was a deadline for the investigation. Mr. Feldmann said that the city is divided into sections and each section has a deadline to bring forward for construction. He said that the EPA understands and that they have remained silent on the issue. Mr. Schertzer asked if the EPA would be willing to help financially with the project. Mr. Feldmann said that the only thing that they will help with is low interest loans.

Mrs. Pinnick moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mrs. Pinnick moved to adopt with Mrs. Blevins seconding. The roll call vote was: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-19

RESOLUTION CONFIRMING THE APPOINTMENT, BY THE MAYOR, OF WAYNE RUSSELL, TO SERVE AS A MEMBER OF THE MARION CITY BOARD OF HEALTH LICENSE ADVISORY COUNCIL AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. Mayor Kellogg added the legislation to the agenda. Mayor Kellogg advised that when the statute created the health licensing board we did not have a person in the tattoo business to serve but that Wayne Russell has agreed to serve as a member of the board.

Mr. Cumston moved to suspend the rules of council with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The roll call vote was: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-29

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-30

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE LOADING, HAULING AND LAND APPLICATION OF SLUDGE CAKE, AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Ratliff said that he did not see the need for the emergency clause. Mr. Feldmann said that the contract will expire on August 18th and that bids will take at least a month to complete. Mr. Ratliff reviewed the timeline Mr. Feldmann outlined in a letter to the committee and asked about this timeline. Mr. Feldmann said that in his letter this would be a timeline with no suspension or emergency clauses and if the legislation did not include the emergency clause and there was no suspension it would be over 4 months before they could bring the proposed contract back to council for review. Mr. Cumston thanked Mr. Feldmann for providing the timeline he requested and said that without any provisions set aside

0403

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on April 9, 2007, Page Three

Held _____

20 _____

the entire process can take anywhere from 6 to 7 months before the contract can be entered into and that is a lengthy process for government.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-31

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH POLYDYNE FOR THE PURCHASE OF LIQUID POLYMER FLOCCULENT TO BE USED AT THE WATER POLLUTION CONTROL PLANT.

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-32

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH NATURAL RESOURCE PROTECTION FOR THE PURCHASE OF DRY POLYMER FLOCCULENT TO BE USED AT THE WATER POLLUTION CONTROL PLANT.

(Finance Committee 2-0)

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

Matters not on the Agenda –

Mr. Ratliff said that at the last council meeting there were not enough members present and moved to reconsider Resolution No. 2007-16 with Mr. Schertzer seconding. Dr. Gilsdorf asked for a point of order on the rule to allow the item. Mr. Reid read Rule 43 to the members. Dr. Gilsdorf said that he did not feel that this was the succeeding meeting as there was a meeting in between. Mr. Russell advised that the meeting was a special meeting and that the legislation would have been improper to reconsider at the time and that this evening is the proper meeting. Mr. Cumston said that he felt it should have been brought under old business. Dr. Gilsdorf asked for an interpretation of old business vs. the matters not on the agenda. Mr. Russell explained that this was not old business that was pending before the council and that it would be appropriate to re-consider under matters not on the agenda. The roll call vote was: YEAS: Mr. Ratliff, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Cumston, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf. There being a tie vote Mr. Reid voted yes to break the tie.

Whereupon, President Reid declared the motion approved.

Discussion: Mr. Jeff Woda from the Woda Group advised that this is the same development project that is being proposed on East Fairground Street, 60 single family three and four bedroom homes. He said that they are being built with the Federal Tax Credits and that this is a competitive tax credit with a scoring system and the resolution of support would be one part of

City Hall – Council Chambers at 7:30 p.m. on April 9, 2007, Page Four

Held

20

the packet. Mr. Woda said that this would be a rental home for the first 15 years with ownership thereafter and that this project had received support in the past from council. He further said that for every four or five applicants only one is funded. Dr. Gilsdorf asked with other projects that they have completed how many residents have made it to the 15 years. Mr. Woda said that they have not made it to the 15 year yet. Dr. Gilsdorf said that with continuous occupancy how likely is it that the same resident living in the home will be there in 15 years to purchase the home. Mr. Woda said that if they initially qualify to rent the homes they automatically qualify to purchase the home. He said that with the tax credits the homes must be used as rentals for 15 years and if someone moves out and it is rented to another person, they would be eligible to purchase the home and that they do not need to live there the entire 15 years. Mrs. Davis asked if someone who lived in the home the entire 15 years would they get a huge credit and what is the requirements for the wage earner. Mr. Woda advised that they would receive the maximum credit and that the income limit for the wage earner is up to \$35,000 a year. Mrs. Davis asked the average rent. Mr. Woda said that they do range from \$450.00 to \$600.00 per month including utilities. Mr. Schertzer said that he interpreted the credit to be only for those that have lived there the entire 15 years and not the varied percentages based upon how long they live in the home. Mr. Ratliff said that passing the resolution gives the city an opportunity to provide home ownership to families who normally would not be able to purchase a home. He asked if the developer was willing to come back and spot buy homes once the project is underway. Mr. Cumston said that he would support the project if there was something in writing to that effect. He further said that he does not like the government subsidies and that this is welfare no matter what it is called. He said that the city deals with dilapidated homes every year and those are a major concern. Mr. Woda said that once they are in the city they would put in writing a commitment to look at homes on a spot basis. Mrs. Davis said that she can agree to some extent but that she will vote to return the tax dollars to Marion. Mr. Lengieza said that the project is in the city and that the area is in a high bedrock zone in which not much could be done with the land as it would not be feasible to piece meal a project. He said that the rent is established at 60% of the medium income which is currently under \$25,000 for a family of three. Mr. Lengieza further said that the housing advisory committee met and approved the project and Mr. Thomas served on the committee. He said that this is a vacant area and not included in the Community Reinvestment Area.

Mr. Woda said that are willing to sign a separate agreement for the spot housing but that if it was to be included in the resolution it may cause a problem with the Ohio Housing. Mr. Phil Leedom of 985 Leetonia Road asked what requirements would there be for a someone who wanted to rent one of these homes. Mr. Woda explained that this would be based on verified income, acceptable credit and landlords past experiences and that the IRS code dictates the eligibility to purchase. Mr. Sulu Kelley asked if there would be a club house and home owners association. Mr. Woda said that there would be a club house and that the ownership would transfer at the end of the 15 years to the Homeowners Association. He said that there would be no fees assessed for the club house while the properties are rentals and ownership of the property changes upon the last sale. Mrs. Blevins asked what financing is in place for someone who may have torn up one of the homes during the rental period. Mr. Woda said that there will be screening of the tenants and annual inspections will take place. He said that in the event one home is torn up, they will have set aside replacement reserves and operating reserves to restore the home.

Call for the question: Abstain: Mr. Cumston. YEAS: Mr. Ratliff, Mrs. Blevins, Mr. Smith, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Dr. Gilsdorf.

Whereupon, President Reid declared the legislation adopted.

Mr. Schertzer moved to go into executive session to discuss pending litigation with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the council in executive session.

Executive Session begins at 8:29 p.m.

Mr. Schertzer moved to end executive session with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the council in regular session.

Executive Session begins at 9:04 p.m.

RECORD OF PROCEEDINGS

0465

Minutes of

MARION CITY COUNCIL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on April 9, 2007, Page Five

Held

20

Committee Dates – Tuesday, April 17, 2007

6:30 p.m. Finance

6:45 p.m. Legislation, Codes & Regulations

7:00 p.m. Jobs & Economic Development

With no further business to come before council, President Reid adjourned the meeting.

Mr. Phil Reid
PRESIDENT OF COUNCILCathy Chaffin
CLERK OF COUNCIL

City Hall -- Council Chambers at 7:30 p.m. on April 23, 2007

Held

20

ROLL CALL -- Seven Members Answered -- Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis and Mr. Schertzer.

Mr. Thomas moved to excuse Mr. Cumston and Mrs. Pinnick with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mr. Cumston and Mrs. Pinnick excused.

PRAYER -- The invocation was led by Mayor Kellogg.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES -- Summary of proceedings of council meeting -- April 9, 2007.

Mr. Thomas moved to adopt the summary of proceedings for April 9, 2007 with Mr. Ratliff seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for April 9, 2007 adopted.

ORDINANCE NO. 2007 26

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$400,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS ASSOCIATED WITH PUBLIC IMPROVEMENTS RELATED TO DELAWARE AVENUE TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The legislation's title received its third reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer advised that the legislation would need to be amended in Section 2 to reflect the appropriate date of June 1, 2008, December 1, 2008 and the word notes added in the appropriate Section 3.

Mr. Schertzer moved to amend the legislation with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. None.

Whereupon, President Reid declared the legislation amended.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Mrs. Blevins seconding.

The Auditors Certificate was read into the record.

The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

New Business:

RESOLUTION NO. 2007-20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE A CASH ADVANCE OF UP TO \$274,180.75 TO THE DELAWARE-BARKS TIF FUND FROM THE GENERAL FUND.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-21

RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF MARION ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS DRIP INFRASTRUCTURE FUND FOR THE NORTHWEST INDUSTRIAL CONNECTOR WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

0407

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on April 23, 2007. Page Two

Held

20

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-33

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-34

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE INSTALLATION OF A PEDESTRIAN BRIDGE CROSSING GRAVE CREEK AT THE HARDING HIGH SCHOOL, AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Thomas said that this was a project that was started five years ago and that this is an issue of safety. He said that the new numbers of those walking to and from school are higher and within a 20 minute window there were 32 students. Mr. Thomas said that this is being done with the cooperation of the County Commissioners. Commissioner Josh Daniels spoke to the members. Mr. Daniels thanked those who have been involved in the project along with Mr. Bischoff and Mr. Brad Irons. He said that the installation of the bridge will help with safety and in diverting the students from the line of traffic. He said that he would like to continue the cooperation of the city and county for the future.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-35

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO A TWO (2) YEAR CONTRACT WITH MAR-ZANE MATERIALS FOR ASPHALT TO BE USED IN THE DAILY OPERATIONS OF THE CITY.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-36

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

City Hall – Council Chambers at 7:30 p.m. on April 23, 2007, Page Three

Held

20

INFRASTRUCTURE PROJECTS, AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Jobs & Economic Development Committee to place on the agenda.

Mr. Ratliff moved to suspend the rules of council with Mr. Thomas seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Ratliff moved to adopt with Mr. Mr. Thomas seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-37

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE COMMUNITY DISTRESS GRANT PARK PROJECTS, AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Jobs & Economic Development Committee to place on the agenda.

Mr. Ratliff moved to suspend the rules of council with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Ratliff moved to adopt with Mr. Mr. Thomas seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-38

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MILLIRON WASTE MANAGEMENT FOR THE TRANSPORTATION AND DISPOSAL OF SCREENINGS, GRIT, GREASE AND TRASH FROM THE WATER POLLUTION CONTROL PLANT.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer advised that in the letter received there was a variable fuel cost included in the bid. Mr. Russell said that he met with Mr. Feldmann and Mr. Cobb and reviewed the specs. He said that the variable should not have been included in the bid and therefore, the bid was rejected and the successful bidder is Milliron Waste Management. Mr. Russell noted that there would be an estimated savings with Milliron of around \$10,000.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

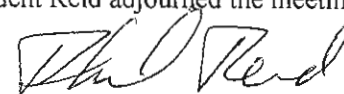
Matters not on the Agenda – Mr. Reid thanked the students in attendance. Mr. Schertzer thanked the bowlers who participated in the Big Brothers/Big Sisters fundraising drive.

Committee Dates – Monday, May 7, 2007

- 6:5 p.m. Zoning & Annexation
- 6:30 p.m. Finance
- 6:45 p.m. Jobs & Economic Development
- 7:00 p.m. Streets & Sewers

With no further business to come before council, President Reid adjourned the meeting.


 Cathy Chaffin
 CLERK OF COUNCIL



Mr. Phil Reid
 PRESIDENT OF COUNCIL

0409

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on May 14, 2007

Held

20

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis and Mr. Schertzer.

PRAYER – The invocation was led by Mr. Cumston.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – April 23, 2007.

Mr. Cumston moved to adopt the summary of proceedings for April 23, 2007 with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for April 23, 2007 adopted.

New Business:

ORDINANCE NO. 2007-39

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-40

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

The legislation's title received its first reading. There was a 2-1 vote from the Jobs & Economic Development Committee to place on the agenda. Mr. Ratliff requested a first reading with a public hearing on May 29, 2007.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-41

ORDINANCE AMENDING MARION CITY CODE SECTION 915.11 STORM LATERALS AND YARD DRAINS.

The legislation's title received its first reading. There was a 2-0 vote from the Streets & Sewers Committee to place on the agenda. Mr. Jim Bischoff, City Engineer advised that these are some amendments that have been suggested to clear up a conflict that currently exists in the code. Mr. Bischoff said that due to the construction season he would like to ask that the rules of council be suspended to allow for the change.

Mr. Thomas moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None

Whereupon, President Reid declared the rules of council suspended.

Mr. Thomas moved to adopt with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-42

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MANSFIELD TRUCK SALES & SERVICE INC. FOR THE PURCHASE OF TWO (2) DUMP TRUCKS WITH SNOW PLOWS AND SPREADERS FOR USE IN THE STREETS DEPARTMENT, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

City Hall – Council Chambers at 7:30 p.m. on May 14, 2007, Page Two

Held

20

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-43

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH DONLEY FORD OF GALION FOR THE PURCHASE OF TWO (2) 4 X 4 PICKUP TRUCKS WITH PLOWS FOR USE IN THE STREETS DEPARTMENT, AND DECLARING AN EMERGENCY

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Russell advised that he has worked closely with the administration, Mr. Moats and Mr. Bash on the issue of the truck purchase and advised that the entity who appeared to be the lowest and best bidder in fact did not meet the spec and bid requirements due to items not included in the bid. Mr. Russell advised the council to amend the legislation to reflect that Mathews Kennedy was the lowest and best bidder. Dr. Gilsdorf said that in a letter from Mr. Cramer he indicated that the local bidder credit was not included in the bid specs and asked if it should have been. Mr. Russell said that this language should have been included but that it would have no impact on this matter.

Mr. Schertzer moved to amend the legislation to reflect the appropriate bidder as Mathews Kennedy with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation amended.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the legislation adopted.

Matters not on the Agenda –

**** Discussion of the Phase II Stormwater Management Plan and the NPDES Permit. (Mr. Mark Feldmann)**

Mr. Mark Feldmann spoke to the members about the Phase II Plan and Permit. He said that the Federal Government through the State Government has issued a NPDES Permit to the City of Marion and that as a part of the permit requirements the City must submit a plan. He said that this will bring together six departments in the co-ordination of stormwater quality. Mr. Thomas asked if this was mandated by the state. Mr. Feldmann said that it was. Mr. Thomas said that the city is doing a majority of the plan now. Mr. Feldmann agreed and said that there are some additional items that must be implemented. Mr. Thomas said that with this an employee is being added to implement the program. Mr. Feldmann agreed and said that this employee will complete the required reports to the EPA. Mr. Jay Shoup of Floyd Browne spoke to the members. He said that the program was started in July of 2003 and that Marion has done everything they need to do and are ahead of the curve. He said that Phase I started with the larger cities and phase II is the medium size communities. He said that the initial program is record keeping and monitoring for the area and eventually this will evolve into testing and construction. Mr. Shoup outlined the six control phases listed in the plan and said that the city has five years to complete the steps. Mr. Cumston asked if there were any requirements for construction outside the city. Mr. Shoup said that there are no requirements and if something happens outside the city that impacts the city the matter is to be documented and that the program is based upon population density. Mr. Schertzer asked how the new employee would be funded and if the city is already doing the program now can we get by without an additional employee. Mr. Feldmann said that with the monitoring and coordinating that needs to be done there is a need for the employee and that they would be paid from the storm water utility fund.

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on May 14, 2007, Page Three

Held

20

Mr. Schertzer said that he had received a letter in reference to a home at 299 Fairground Street and advised that this is a home that has been identified with the task force and that they are working with the administration to remedy these types of problems. Mrs. Davis asked when the county forecloses on homes that are past due on taxes. Dr. Gilsdorf said that he has been looking into the matter and cases can take anywhere from 3 to 6 years before any action is taken.

Mr. Ratliff moved to go into executive session to discuss pending litigation specifically the case of C.O.A.P. vs. the City of Marion with Mrs. Davis seconding.

The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the council in executive session.

Executive Session begins at 8:07 p.m.

Mr. Cumston moved to end executive session with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the council in regular session.

Executive Session ends at 8:42 p.m.

Mr. Ratliff moved to direct the Law Director to settle the matter of C.O.A.P. vs. the City of Marion with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Schertzer. NAYS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis.

Whereupon, President Reid declared the motion failed.

Matters not on the Agenda – Mr. Reid thanked the students in attendance. Mr. Schertzer thanked the bowlers who participated in the Big Brothers/Big Sisters fundraising drive.

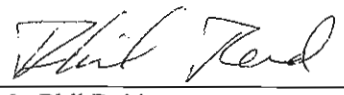
Committee Dates – Monday, May 7, 2007

6:30 p.m. Finance

6:45 p.m. Zoning & Annexation

With no further business to come before council, President Reid adjourned the meeting.


Cathy Chaffin
CLERK OF COUNCIL


Mr. Phil Reid
PRESIDENT OF COUNCIL

City Hall – Council Chambers at 7:30 p.m. on May 29, 2007

Held

20

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis and Mr. Schertzer.

PRAYER – The invocation was led by Mr. Cumston.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – May 14, 2007.

Mr. Cumston moved to adopt the summary of proceedings for May 14, 2007 with Dr. Gilsdorf seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for May 14, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-40

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

The legislation's title received its second reading. There was a 2-1 vote from the Jobs & Economic Development Committee to place on the agenda.

President Reid opened the public hearing. Mrs. Evelyn Cummings advised that the state requires two hearings with the second public hearing this evening for the project selection and budget. Mrs. Cummings advised that the proposed budget and project selection is: Olney Park for \$58,100.00; Patterson Park for \$55,000; Center Street Clinic for \$19,900 and the balance of \$23,000 for Environmental Review/Audit/Administration and Fair Housing. Mr. Schertzer advised that this evening he would be proposing an amendment in the legislation. He said that he has been working with the Law Director, Regional Planning and others to address abandoned homes and said that he fully supports each project but that he would ask the council to consider pulling the total sum of \$20,000 from the park project and place this amount into demolition of homes. He said that if this is paired with the Patten Street Park Project the council could essential fund four projects instead of three. Mr. Schertzer further explained that the properties to be addressed fall within Census Tract Nine and that encompasses the First, Second and Fifth Wards. Mr. Schertzer asked to take \$10,000 from each park or all from one. Mr. Thomas said that he would like more details on the funding for demolition of homes as the council already budgets funding. He said that with a demolition the cost is assessed on the real estate taxes and then collected and returned. Mr. Thomas asked how this would work with grant dollars being used. Mr. Lengieza said that they are currently waiting on an answer to the question but that he believes this could be used as a revolving fund once the sums are collected and said that he is not sure if there are grant prohibitions. Mr. Thomas asked if the city would be taking ownership of properties through this. Mr. Lengieza advised the city would not become owners but there is no prohibition. Mr. Thomas said that he spoke with Mr. Cumston about the Patten Park Project and advised that Mr. Cumston had no objection with taking the funding out of the park. Mrs. Davis said that she had the same questions on the revolving portion. Mr. Russell advised that this could be used as seed money to start to address the abandoned and dilapidated homes. Mrs. Cummings advised that this is the same as when the city used the CDBG funds and they do become a revolving amount.

Mrs. Blevins said that she objects to taking any of the money from the Olney Park as she has been working with the neighborhood to take care of a need for the children in the area. Mr. Ratliff asked what the success rate for the recovery of funds is there. Mr. Russell said that his office recovers a high number and that these would be made a priority for collection. Mr. Schertzer said that agrees that the city should not own property and that is not the intent but the funds are needed to begin addresses the ongoing issues. Mr. Cumston said that he had no objection to the money being taken from his park project as the cost have been reduced. He said that in speaking with the city engineer the current poles can be used for the lighting in the park and that they are going to wait to install the bathroom facilities and with this cost savings we can make it work. Mr. Schertzer said that agreed with Mrs. Blevins and said that he does not want to harm any project with the amendment.

There being no further discussion, President Reid closed the public hearing.

Mr. Schertzer moved to amend the legislation to reduce the Patterson Park Project by \$20,000 and set this amount aside for demolition in Census Tract 9. Dr. Gilsdorf seconded.

The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation amended.

0413

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on May 29, 2007, Page Two

Held

20

Mr. Ratliff said that he feels this is best to do four projects instead of three and that this is a better use of the funds. Mr. Ratliff further requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

New Business:

ORDINANCE NO. 2007-44

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-45

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$750,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF CONSTRUCTING AND EXTENDING LAKES BOULEVARD, AND IMPROVING BARKS ROAD BETWEEN DELAWARE AVENUE AND STATE ROUTE 529, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-46

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$770,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF CONSTRUCTING A PORTION OF WELLNESS DRIVE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-47

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH NEIDHART BROTHERS TRUCKING CO., FOR THE LAND APPLICATION OF BIOSOLIDS AT THE WATER POLLUTION CONTROL PLANT HAVING DETERMINED SAID ENTITY TO HAVE SUBMITTED THE LOWEST AND BEST BID AND DECLARING AN EMERGENCY

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-48

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION, BY REZONING THE PROPERTY LOCATED AT 401 AND 411 EAST FAIRGROUND STREET FROM A C1-B NEIGHBORHOOD SHOPPING DISTRICT TO A C-2 COMMUNITY SHOPPING DISTRICT.

The legislation's title received its first reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda. Mr. Smith requested a first reading. With a public hearing on June 25, 2007.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-49

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH PETE MILLER, INC. FOR THE INSTALLATION OF A NEW ROOF ON THE MARION RECREATION CENTER AND DECLARING AN EMERGENCY.

City Hall – Council Chambers at 7:30 p.m. on May 29, 2007, Page Three

Held

20

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-50

AN ORDINANCE ACCEPTING THE PROPOSAL OF CSX RAILROAD, PUCO, AND ODOT/ORDC FOR THE IMPROVEMENT AND CLOSURE OF A CERTAIN GRADE CROSSING (518423K) IN THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda. Mr. Thomas advised that this is a crossing that is located east of State Street in an alley that dead ends to the north. Mr. Thomas further requested a public hearing. President Reid opened the matter for a public hearing. There being no comments, President Reid closed the public hearing. Mr. Thomas requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-51

AN ORDINANCE ACCEPTING THE PROPOSAL OF NS RAILROAD, PUCO, AND ODOT/ORDC FOR THE IMPROVEMENT AND CLOSURE OF A CERTAIN GRADE CROSSING (228715F) IN THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda. Mr. Thomas advised that this is a crossing that is located on Otis Street which is located between David and Cheney. Mr. Thomas further requested a public hearing. President Reid opened the matter for a public hearing. There being no comments, President Reid closed the public hearing. Mr. Thomas requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

Matters not on the Agenda – Mr. Cumston moved to go into executive session to discuss threatened or impending litigation with Mr. Thomas seconding.

The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the council in executive session.

Executive Session begins at 7:58 p.m.

Mr. Cumston moved to end executive session with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the council in regular session.

Executive Session ends at 8:20 p.m.

Committee Dates – Monday, June 4, 2007

6:30 p.m. Finance

6:45 p.m. Jobs & Economic Development

With no further business to come before council, President Reid adjourned the meeting.


Cathy Chaffin
CLERK OF COUNCIL


Mr. Phil Reid
PRESIDENT OF COUNCIL

0415

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on June 11, 2007

Held

20

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis and Mr. Schertzer.

PRAYER – The invocation was led by Mr. Cumston.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – May 29, 2007.

Mr. Cumston moved to adopt the summary of proceedings for May 29, 2007 with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for May 29, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-40

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

The legislation's title received its third reading. There was a 2-1 vote from the Jobs & Economic Development Committee to place on the agenda. Mr. Schertzer thanked his colleagues for their support on the amendment.

Mr. Ratliff moved to adopt with Mr. Thomas seconding. The roll call vote was:
YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-45

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$750,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF CONSTRUCTING AND EXTENDING LAKES BOULEVARD, AND IMPROVING BARKS ROAD BETWEEN DELAWARE AVENUE AND STATE ROUTE 529, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

The fiscal officer's certificate was read into the record.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was:
YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-46

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$770,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF CONSTRUCTING A PORTION OF WELLNESS DRIVE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

The fiscal officer's certificate was read into the record.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was:
YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RECORD OF PROCEEDINGS MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on June 11, 2007, Page Two

Held

20

ORDINANCE NO. 2007-47

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH NEIDHART BROTHERS TRUCKING CO., FOR THE LAND APPLICATION OF BIOSOLIDS AT THE WATER POLLUTION CONTROL PLANT HAVING DETERMINED SAID ENTITY TO HAVE SUBMITTED THE LOWEST AND BEST BID AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer requested a second reading. Mr. Thomas asked the amount that the city is now paying. Mr. Schertzer replied \$12.00 per ton. Mr. Thomas asked if this amount is lower why are we requesting a second reading. Mr. Cobb advised that the current contract does not expire until August of this year.

Whereupon, President Reid declared the legislation received its second reading.

ORDINANCE NO. 2007-48

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION, BY REZONING THE PROPERTY LOCATED AT 401 AND 411 EAST FAIRGROUND STREET FROM A C1-B NEIGHBORHOOD SHOPPING DISTRICT TO A C-2 COMMUNITY SHOPPING DISTRICT.

The legislation's title received its second reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda. Mr. Smith requested a second reading with a public hearing on June 25, 2007.

Whereupon, President Reid declared the legislation received its second reading.

ORDINANCE NO. 2007-50

AN ORDINANCE ACCEPTING THE PROPOSAL OF CSX RAILROAD, PUCO, AND ODOT/ORDC FOR THE IMPROVEMENT AND CLOSURE OF A CERTAIN GRADE CROSSING (518423K) IN THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda. President Reid opened the matter for a public hearing. There being no comments, President Reid closed the public hearing. Mr. Thomas requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

ORDINANCE NO. 2007-51

AN ORDINANCE ACCEPTING THE PROPOSAL OF NS RAILROAD, PUCO, AND ODOT/ORDC FOR THE IMPROVEMENT AND CLOSURE OF A CERTAIN GRADE CROSSING (228715F) IN THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda. President Reid opened the matter for a public hearing. There being no comments, President Reid closed the public hearing. Mr. Thomas requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

New Business:

ORDINANCE NO. 2007-52

ORDINANCE AUTHORIZING THE MARION MUNICIPAL COURT TO ENTER INTO CONTRACT WITH GREAT IMPRESSIONS, FOR THE PURCHASE AND INSTALLATION OF CARPET IN MUNICIPAL COURT AND RELATED OFFICES, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-53

ORDINANCE CREATING A CITY OF MARION JOB CREATION TAX CREDIT TO OFFER A LOCAL TAX CREDIT TO COMPANIES THAT ARE ELIGIBLE TO APPLY FOR AND RECEIVE AN OHIO JOBS CREATION TAX CREDIT TO BE USED IN WHOLE OR IN PART AS A LOCAL MATCH FOR THE STATE TAX CREDIT.

The legislation's title received its first reading. There was a 2-0 vote from the Jobs & Economic Development Committee to place on the agenda.

Mr. Ratliff asked Mr. Claborn to explain the letter the members received this evening. Mr. Claborn said that the letter was a result of conversations at Marion Cando and some

0417

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10143

City Hall – Council Chambers at 7:30 p.m. on June 11, 2007, Page Three

Held

20

suggested language to clarify the legislation. He said that the first part of the letter refers to a typographical error and that has been resolved. The second part is the language seemed to indicate that in order to qualify the applicant must have a combination of high paying jobs and a large number of jobs and the intent was to have one or the other and not both. Mr. Claborn said that the other issue that he would like to have modified is to allow for a policy that would not limit the credit to 50% as he feels the community should have the flexibility to give more. Mr. Thomas said that he agrees with Mr. Claborn on the first section dealing with either or instead of both, however, he does have a problem with more than a 50% of income tax. He said that the city would be better off with a limit. Mr. Cramer noted that the members should keep in mind that if the abatement is more than 50% the city could lose money with the 50% requirement to the schools. Mrs. Davis said that she does like the idea of not tying the hands of council with the limits. Mr. Ratliff asked if there was a definition of large number of jobs. Mr. Lengieza said that there is no definition and that the 150% above the poverty level is only to qualify for the credit. He said that this would be up to council to determine and said that he does not think the abatement should be the 50%. Mr. Thomas advised that with tax abatements the city sets standards and with this the city should also set a standard at the current proposal. Mr. Cumston said that this is one example of failed economic policy that forces each city to compete. He said that he would like to see an equal playing field where communities could compete the infrastructure and services they provide and not the handouts of abatements.

Mr. Ratliff requested a first reading. Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-54

ORDINANCE APPROVING THE PURCHASE OF TWO (2) BUSES FOR MARION AREA TRANSIT THROUGH THE OHIO COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Thomas seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

The fiscal officers certificate was read into the record.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-55

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

The fiscal officers certificate was read into the record.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

Matters not on the Agenda – Dr. Gilsdorf asked with the recent letter received regarding the biosolids hauling if they were working and incompliance. Mr. Feldmann advised they were in compliance. Mrs. Davis condemned the unknown person who shot a bb at the mural in Busby Park.

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on June 11, 2007. Page Four

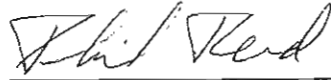
Held

20Committee Dates – Monday, June 18, 2007

6:30 p.m. Finance

6:45 p.m. Municipal Services, Parks & Recreation

With no further business to come before council, President Reid adjourned the meeting.


Cathy Chaffin
CLERK OF COUNCILMr. Phil Reid
PRESIDENT OF COUNCIL

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0419

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on June 25, 2007

Held _____ 20 _____

ROLL CALL – Six Members Answered – Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis and Mr. Schertzer.

Mrs. Davis moved to excuse Mr. Cumston, Mr. Ratliff and Mrs. Pinnick with Dr. Gilsdorf seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mr. Cumston, Mr. Ratliff and Mrs. Pinnick excused.

PRAYER – The invocation was led by Mayor Kellogg.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – June 11, 2007.

Mr. Thomas moved to adopt the summary of proceedings for June 11, 2007 with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for June 11, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-47

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH NEIDHART BROTHERS TRUCKING CO., FOR THE LAND APPLICATION OF BIOSOLIDS AT THE WATER POLLUTION CONTROL PLANT HAVING DETERMINED SAID ENTITY TO HAVE SUBMITTED THE LOWEST AND BEST BID AND DECLARING AN EMERGENCY.

The legislation's title received its third reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was:
YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-48

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION, BY REZONING THE PROPERTY LOCATED AT 401 AND 411 EAST FAIRGROUND STREET FROM A C1-B NEIGHBORHOOD SHOPPING DISTRICT TO A C-2 COMMUNITY SHOPPING DISTRICT.

The legislation's title received its third reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda. Mr. Smith asked for a public hearing this evening. President Reid opened the public hearing. There being no persons to speak, President Reid closed the public hearing.

Mr. Smith moved to adopt with Mr. Schertzer seconding. The roll call vote was:
YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-50

AN ORDINANCE ACCEPTING THE PROPOSAL OF CSX RAILROAD, PUCO, AND ODOT/ORDC FOR THE IMPROVEMENT AND CLOSURE OF A CERTAIN GRADE CROSSING (518423K) IN THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

The legislation's title received its third reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda.

President Reid opened the public hearing. Mr. Schertzer asked the clerk if there have been any comments on the closure. Mrs. Chaffin advised there have been no comments. There being no further comments, President Reid closed the public hearing. Mr. Thomas moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-51

AN ORDINANCE ACCEPTING THE PROPOSAL OF NS RAILROAD, PUCO, AND ODOT/ORDC FOR THE IMPROVEMENT AND CLOSURE OF A CERTAIN GRADE CROSSING (228715F) IN THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

RECORD OF PROCEEDINGS

MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on June 25, 2007, Page Two

Held

20

The legislations title received its third reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda.

President Reid opened the public hearing. Mrs. Blevins said that she objects to the closure of the crossing as a lot of residents in the neighborhood use the crossing and therefore she would be voting no. Mrs. Davis said that she had concerns over the closure also until she was told why it is necessary to close the crossing and she will be voting for the closure. Mr. Claborn said that these closures are the ones that trigger the six million dollars grant for an overpass for the Northwest Connector. He said that these are small crossings that would benefit the larger project being proposed. There being no further comments, President Reid closed the public hearing.

Mr. Thomas moved to adopt with Mrs. Blevins seconding. Mr. Thomas said that it was difficult in choosing this crossing to close where the one under the overpass had limited usage and that with the overpass in the northwest area this will give the city access to the area that has been a longstanding concern between the tracks (Toledo Area). Mr. Bischoff performed a traffic study on the crossing and the findings were that in a three hour period westbound there were 42 cars and eastbound there were 46. Mr. Thomas said that he understand people use this as a cut through but that the closure is for the betterment of the community.

The roll call vote was: YEAS: Mr. Thomas, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mrs. Blevins.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-52

ORDINANCE AUTHORIZING THE MARION MUNICIPAL COURT TO ENTER INTO CONTRACT WITH GREAT IMPRESSIONS, FOR THE PURCHASE AND INSTALLATION OF CARPET IN MUNICIPAL COURT AND RELATED OFFICES, AND DECLARING AN EMERGENCY.

The legislations title received its second reading. There was a 3-0 vote from the Finance Committee to place the legislation on the agenda.

Mr. Schertzer advised that there were not enough members to suspend the rules and asked Ms. Gayheart if the bid could be extended. Ms. Gayheart advised that this should be okay. Mr. Schertzer requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

ORDINANCE NO. 2007-53

ORDINANCE CREATING A CITY OF MARION JOB CREATION TAX CREDIT TO OFFER A LOCAL TAX CREDIT TO COMPANIES THAT ARE ELIGIBLE TO APPLY FOR AND RECEIVE AN OHIO JOBS CREATION TAX CREDIT TO BE USED IN WHOLE OR IN PART AS A LOCAL MATCH FOR THE STATE TAX CREDIT.

The legislations title received its second reading. There was a 2-0 vote from the Jobs & Economic Development Committee to place on the agenda.

Mr. Thomas moved to amend the legislation in section 2 B line 5 to read high paying jobs and/or large number of jobs with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation amended.

Mr. Thomas moved to amend the legislation to include the emergency clause to allow the legislation to take effect immediately upon passage with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation amended.

Mr. Thomas requested a first reading as amended. Whereupon, President Reid declared the legislation received its first reading as amended.

Matters not on the Agenda – None.

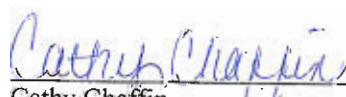
Committee Dates – Monday, July 2, 2007

6:15 p.m. Streets & Sewers

6:30 p.m. Finance

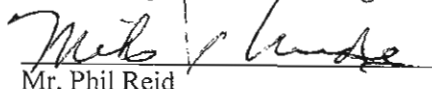
6:45 p.m. Municipal Services, Parks & Recreation

With no further business to come before council, President Reid adjourned the meeting.



Cathy Chaffin

CLERK OF COUNCIL



Mr. Phil Reid

PRESIDENT OF COUNCIL

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0421

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on July 9, 2007

Held

20

ROLL CALL – Seven Members Answered – Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis and Mr. Schertzer.

Mr. Schertzer moved to excuse Mr. Cumston and Mr. Smith with Mrs. Pinnick seconding. By a voice vote all members voted in approval.

Whereupon, President Pro Tempore Thomas declared Mr. Cumston and Mr. Smith excused.

PRAYER – The invocation was led by Mr. Thomas.

PLEDGE OF ALLEGIANCE was led by President Pro Tempore Thomas.

MINUTES – Summary of proceedings of council meeting – June 25, 2007.

Mrs. Pinnick moved to adopt the summary of proceedings for June 25, 2007 with Mrs. Davis seconding. By a voice vote all members voted in approval.

Whereupon, President Pro Tempore Thomas declared the summary of proceedings for June 25, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-52. ORDINANCE AUTHORIZING THE MARION MUNICIPAL COURT TO ENTER INTO CONTRACT WITH GREAT IMPRESSIONS, FOR THE PURCHASE AND INSTALLATION OF CARPET IN MUNICIPAL COURT AND RELATED OFFICES, AND DECLARING AN EMERGENCY.

The legislation's title received its third reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-53

ORDINANCE CREATING A CITY OF MARION JOB CREATION TAX CREDIT TO OFFER A LOCAL TAX CREDIT TO COMPANIES THAT ARE ELIGIBLE TO APPLY FOR AND RECEIVE AN OHIO JOBS CREATION TAX CREDIT TO BE USED IN WHOLE OR IN PART AS A LOCAL MATCH FOR THE STATE TAX CREDIT AND DECLARING AN EMERGENCY, AS AMENDED.

The legislation's title received its second reading. There was a 2-0 vote from the Jobs & Economic Development Committee to place on the agenda. Mr. Ratliff advised that this is the second reading after the amendment but the third reading overall.

Mr. Ratliff moved to suspend the rules of council with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Ratliff moved to adopt with Mrs. Pinnick seconding.

Mr. Schertzer advised that he would be voting for the legislation and thanked Mr. Claborn and Mr. Lengieza for bringing the legislation forward. He said that this legislation will provide a carrot and stick for development and shows that development is a two way street. Mr. Thomas commented that he was pleased with the legislation as it provides that companies pay a living wage of \$10.00 to \$11.00 per hour (150% above the poverty level).

The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

New Business:

RESOLUTION NO. 2007-22

RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF SCOTT K. CRIDER AS A MEMBER OF THE MARION CITY DESIGN REVIEW BOARD AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. Mayor Kellogg added the legislation to the agenda recommending Mr. Crider to another term on the Design Review Board.

Mr. Schertzer moved to suspend the rules of council with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

City Hall – Council Chambers at 7:30 p.m. on July 9, 2007, Page Two
20

Held

Mr. Schertzer moved to adopt with Mrs. Davis seconding. The roll call vote was:
YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr.
Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

RESOLUTION NO. 2007-23

**RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF
THOMAS BRIAN CLARK AS A MEMBER OF THE AIRPORT COMMISSION, AND
DECLARING AN EMERGENCY.**

The legislation's title received its first reading. Mayor Kellogg added the legislation to the
agenda recommending Mr. Clark to another term on the Airport Commission.

Mrs. Pinnick moved to suspend the rules of council with Mrs. Davis seconding. The
roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick,
Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mrs. Pinnick moved to adopt with Mrs. Davis seconding. The roll call vote was:
YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr.
Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

RESOLUTION NO. 2007-24

**RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF
DOUGLAS HOLBROOK AS A MEMBER OF THE AIRPORT COMMISSION, AND
DECLARING AN EMERGENCY.**

The legislation's title received its first reading. Mayor Kellogg added the legislation to the
agenda recommending Mr. Holbrook to another term on the Airport Commission.

Mrs. Davis moved to suspend the rules of council with Mrs. Pinnick seconding. The
roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick,
Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mrs. Davis moved to adopt with Mrs. Pinnick seconding. The roll call vote was:
YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr.
Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

RESOLUTION NO. 2007-25

**RESOLUTION APPROVING AND ADOPTING THE BUDGET OF THE CITY OF
MARION, OHIO FOR THE YEAR 2008, AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance
Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The
roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick,
Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was:
YEAS: Mr. Thomas, Mrs. Blevins, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr.
Ratliff, Dr. Gilsdorf.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-56

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE
DIRECTOR TO ENTER INTO CONTRACT WITH RON'S TREE SERVICE FOR THE
TREE REMOVAL PROGRAM, PROJECT 07-1M FOR THE CITY OF MARION,
OHIO AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance
Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The
roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick,
Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was:
YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr.
Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

0423

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on July 9, 2007, Page Three

Held _____

20

ORDINANCE NO. 2007-57

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE 2007 STREET RESURFACING PROGRAM, PROJECT 07-1R, IN THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda.

Mrs. Blevins moved to suspend the rules of council with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mrs. Blevins moved to adopt with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-58

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE OAKGROVE AND WATERLOO STREET SEWER IMPROVEMENTS, PROJECT 06-1S, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda.

Mrs. Blevins moved to suspend the rules of council with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mrs. Blevins moved to adopt with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-59

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Pro Tempore Thomas declared the legislation adopted.

ORDINANCE NO. 2007-60

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ENGINEERING AIDE II.

The legislation's title received its first reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda. Mrs. Blevins requested a first reading.

Whereupon, President Pro Tempore Thomas declared the legislation received its first reading.

ORDINANCE NO. 2007-61

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ASSISTANT CITY ENGINEER.

The legislation's title received its first reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda. Mrs. Blevins requested a first reading.

Whereupon, President Pro Tempore Thomas declared the legislation received its first reading.

City Hall – Council Chambers at 7:30 p.m. on July 9, 2007, Page Four

Held _____

20

ORDINANCE NO. 2007-62

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ASSISTANT DIRECTOR, MARION SENIOR CENTER. The legislations title received its first reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda. Mrs. Blevins requested a first reading.

Whereupon, President Pro Tempore Thomas declared the legislation received its first reading.

ORDINANCE NO. 2007-63

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ADMINISTRATIVE ASSISTANT, HUMAN RESOURCES.

The legislations title received its first reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda. Mrs. Blevins requested a first reading.

Whereupon, President Pro Tempore Thomas declared the legislation received its first reading.

Matters not on the Agenda – Mrs. Pinnick reminded everyone that the Airport Commission Meetings have changed effective July 11, 2007 to the second Wednesday of each month instead of the second Tuesday.

Committee Dates – Tuesday, July 18, 2007

6:30 p.m. Finance

6:45 p.m. Municipal Services, Parks & Recreation

With no further business to come before council, President Pro Tempore Thomas adjourned the meeting.


Cathy Chaffin
CLERK OF COUNCIL



Mr. Phil Reid
PRESIDENT OF COUNCIL

0425

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on July 23, 2007

Held _____

20 _____

ROLL CALL – Seven Members Answered – Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis and Mr. Schertzer.

Mr. Cumston moved to excuse Mr. Ratliff and Mr. Smith with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mr. Ratliff and Mr. Smith excused.

PRAYER – The invocation was led by Mayor Kellogg.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – July 9, 2007.

Mr. Cumston moved to adopt the summary of proceedings for July 9, 2007 with Mr. Thomas seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for July 9, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-60

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ENGINEERING AIDE II.

The legislation's title received its second reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda. Mr. Cumston requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

ORDINANCE NO. 2007-61

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ASSISTANT CITY ENGINEER.

The legislation's title received its second reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda. Mr. Cumston requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

ORDINANCE NO. 2007-62

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ASSISTANT DIRECTOR, MARION SENIOR CENTER.

The legislation's title received its second reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda. Mr. Cumston requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

ORDINANCE NO. 2007-63

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ADMINISTRATIVE ASSISTANT, HUMAN RESOURCES.

The legislation's title received its second reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda. Mr. Cumston requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

New Business:

RESOLUTION NO. 2007-26

RESOLUTION WHEREBY THE CITY OF MARION AGREES TO PROVIDE FIRE PROTECTION, POLICE PROTECTION, STREET MAINTENANCE AND ALL OTHER ORDINARY CITY SERVICES PROVIDED WITHIN THE BOUNDARIES OF THE CITY OF MARION, TO THE PROPOSED TERRITORY FOR ANNEXATION TO THE CITY, LOCATED SOUTH OF THE CITY OF MARION, CONTAINING 0.614 ACRES, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. Mayor Kellogg added the legislation to the agenda. Mayor Kellogg advised that this Resolution would agree to provide services to the

City Hall – Council Chambers at 7:30 p.m. on July 23, 2007, Page Two

Held

20

proposed annexation on Delaware Avenue. Mrs. Chaffin explained that the new annexation law requires the services resolution to be passed within twenty days of the filing of the annexation and therefore due to the time restraints the Mayor agreed to add the legislation to the agenda. Mrs. Chaffin further advised that this was for a portion of the roadway on Delaware Avenue that was not annexed and was later discovered that this should have been annexed in prior legislation.

Mr. Schertzer moved to waive rule 56 with Mr. Thomas seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Cumston moved to suspend the rules of council with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Cumston moved to adopt with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-27

RESOLUTION WHEREBY THE CITY OF MARION AGREES TO PROVIDE FIRE PROTECTION, POLICE PROTECTION, STREET MAINTENANCE AND ALL OTHER ORDINARY CITY SERVICES PROVIDED WITHIN THE BOUNDARIES OF THE CITY OF MARION, TO THE PROPOSED TERRITORY FOR ANNEXATION TO THE CITY, LOCATED NORTH OF THE CITY OF MARION, CONTAINING 1.262 ACRES, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. Mayor Kellogg added the legislation to the agenda. Mayor Kellogg advised that this Resolution would agree to provide services to the proposed annexation for the Homeless Shelter and that this is the same as the prior resolution for Delaware Avenue on the time restraints.

Mrs. Davis moved to waive rule 56 with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Cumston moved to suspend the rules of council with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mrs. Davis moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-64

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-65

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE PARKS SUPERINTENDENT.

The legislation's title received its first reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda. Mr. Cumston requested a second reading.

Whereupon, President Reid declared the legislation received its first reading.

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

City Hall – Council Chambers at 7:30 p.m. on July 23, 2007, Page Three

Held

20

ORDINANCE NO. 2007-66**ORDINANCE AUTHORIZING THE PAYMENT OF AN INVOICE PURSUANT TO SECTION 5705.41 (D) (1) OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-67**ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 2007.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

Matters not on the Agenda – Mr. Reid congratulated Officer Fitsko for recognition from the State Fraternal Order of Police. Mr. Ralph Hill spoke to the members. He said that he started voting in the 1960's and recently was called to answer a survey. Mr. Hill said that the survey included two main questions of 1) why were the fire departments combined and 2) why the health departments were not combined. Mr. Hill said that he gave this some thought and thought that this would be a good idea and said that the reason for the departments not being combined is because a member of this council got them to form a union. He said that the FOP was also formed by the same member. Mr. Hill said that the Mayor was doing a fairly decent job and said that he was asked what party he was affiliated with and he said that he would be going Independent. He said that he was asked who he would be voting for in the Mayors race and he told them and said that he was also asked about vacant homes and said that some are better taken care of than others. Mr. Hill said that he received a letter from the health department to tell him to cut his grass and that there is no grass and that this was chicory that was growing. Mr. Hill submitted pictures of some eyesores around the city and spoke of poison ivy hanging on the fence next to his home on the city property. Mr. Hill said that the cut the chicory and his grandson picked up the trash that included manure, tampons and women's undergarments. He said that enough is enough and that it needs to stop. Mr. Hill said that he did not know why the fire departments refuse to combine and said that he witnessed a car fire on Fairground and because it was in the township the City fire department refused to put out the fire because of their territory. Mr. Hill said that we are taxpayers and we are the government and he has had enough and wants the city to do what they want.

Mr. Thomas said that he does not know what member Mr. Hill is referring to as he had nothing to do with the Fire, Police or Township collectively bargaining. Chief Gruber asked about the car fire time frame and Mr. Hill said that it was several years ago. Chief Gruber advised that this does not happen and that he has supported consolidation. Nicholas Monroe, the grandson of Mr. Hill said that they had received two notes on the door to cut the grass about five or six days apart.

Committee Dates – Monday, August 7, 2007

6:30 p.m. Finance

6:45 p.m. Traffic Commission

With no further business to come before council, President Reid adjourned the meeting.



Mr. Phil Reid
PRESIDENT OF COUNCIL



Cathy Chaffin
CLERK OF COUNCIL

City Hall – Council Chambers at 7:30 p.m. on August 13, 2007

Held _____ 20 _____

ROLL CALL – Seven Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis and Mr. Schertzer.

Mr. Cumston moved to excuse Mr. Smith and Mrs. Pinnick with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mr. Smith and Mrs. Pinnick excused.

PRAYER – The invocation was led by Reverend Ron Turner, Mt. Zion Baptist Church.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – July 23, 2007.

Mr. Cumston moved to adopt the summary of proceedings for July 23, 2007 with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for July 23, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-60

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ENGINEERING AIDE II.

The legislation's title received its third reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda.

Mr. Cumston moved to adopt with Mr. Thomas seconding. The roll call vote was:
 YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-61

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ASSISTANT CITY ENGINEER.

The legislation's title received its third reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda.

Mr. Cumston moved to adopt with Mrs. Blevins seconding. The roll call vote was:
 YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-62

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ASSISTANT DIRECTOR, MARION SENIOR CENTER.

The legislation's title received its third reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda.

Mr. Cumston moved to adopt with Mrs. Blevins seconding. The roll call vote was:
 YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-63

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE ADMINISTRATIVE ASSISTANT, HUMAN RESOURCES.

The legislation's title received its third reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda.

Mr. Cumston moved to adopt with Mrs. Blevins seconding. The roll call vote was:
 YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

0429

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on August 13, 2007, Page Two

Held

20

ORDINANCE NO. 2007-65

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE PARKS SUPERINTENDENT.

The legislation's title received its third reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda.

Mr. Cumston moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Cumston moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-67

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its second reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

New Business:

RESOLUTION NO. 2007-28

RESOLUTION ESTABLISHING THE SENIOR CENTER HOMEMAKER FUND.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-29

RESOLUTION ESTABLISHING THE SENIOR CENTER TRANSPORTATION FUND.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-30

RESOLUTION ESTABLISHING THE MARION DRUG/GUN REDUCTION FUND.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

City Hall – Council Chambers at 7:30 p.m. on August 13, 2007, Page Three

Held

20

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-31

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$2,000.00 TO THE SENIOR CENTER HOMEMAKER FUND FROM THE GENERAL FUND.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-32

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$6,000.00 TO THE SENIOR CENTER TRANSPORTATION FUND FROM THE GENERAL FUND.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-33

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$50,000.00 TO THE MARION DRUG/GUN REDUCTION FUND FROM THE GENERAL FUND.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-68

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR SNOW REMOVAL SERVICES AT THE MARION MUNICIPAL AIRPORT AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the motion failed and the legislation received its first reading.

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0451

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on August 13, 2007, Page Four

Held

20

ORDINANCE NO. 2007-69

ORDINANCE TO AMEND SECTION 1 OF ORDINANCE 2000-84 AS AMENDED FROM ORDINANCES 1996-76 AND 1970-122 WHICH CREATED THE POSITIONS AND SALARIES FOR SAID POSITIONS IN THE RECREATION DEPARTMENT AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-70

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer advised that there would need to be an amendment to the legislation in the Senior Transportation and Homemaker Funds for a total amount of \$200.00 in Fuel and \$100.00 for Supplies, with a total appropriation of \$76,500.00. Mr. Schertzer moved to amend with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation amended.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-71

ORDINANCE AUTHORIZING THE MARION MUNICIPAL COURT TO ENTER INTO CONTRACT WITH SCHMIDT SECURITY PRO, FOR THE PURCHASE AND INSTALLATION OF A DIGITAL VIDEO RECORDING SYSTEM AND CAMERAS IN MUNICIPAL COURT AND RELATED OFFICES, AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

RESOLUTION NO. 2007-34

RESOLUTION STATING THE COUNCIL'S SUPPORT AND ENCOURAGEMENT OF THE FIRST CHURCH OF THE NAZARENE'S UPCOMING RESTORATION WEEKEND.

Mr. Cumston moved to add the legislation to the agenda with Mrs. Davis seconding and Mr. Schertzer providing the third.

Whereupon, President Reid declared the legislation added to the agenda.

Mayor Kellogg requested the entire legislation be read. The Clerk of Council read the legislation into the record.

Mayor Kellogg advised that there has never been an opportunity like one we have today. He said that in working with Mr. Russell and the Pastor Riley Powell from the First Church of the Nazarene the church will be holding a restoration weekend in which they will provide the labor to complete small repairs, painting and other labor for seniors, disabled and others who do not qualify for any type of assistance. He said that the church members are willing to do whatever they can in order to help and that more name are needed. He said that the service is free of charge to anyone and that the response from the Church has been overwhelming. Mr. Russell said that the church is ready to help and said that the associate Pastor is here this evening. He said that what is needed is to identify the area in need with the appropriate releases being executed. He said that any councilmember who has anyone to add to the list can share with the Mayor, Janel (Mayors Administrative Assistant) or himself. Pastor Mark Beals thanked council and the city offices for their assistance. He said that all too often

City Hall – Council Chambers at 7:30 p.m. on August 13, 2007, Page Five

Held

20

churches focus on themselves and that this gives the church an opportunity to help the community. Mr. Cumston thanked the church for all of the help and assistance and said that this is an example of the fellowship we need in Marion. Pastor Beals said that there are 703 volunteers who have signed up out of a congregation of 750.

Mrs. Davis moved to suspend rule 56 with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Cumston moved to suspend the rules of council with Mr. Thomas seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Thomas moved to adopt with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-72

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH VANATTA SUPPLY COMPANY TO PURCHASE AN ELECTRICAL FLOOR BOX SYSTEM AND BOTTOM LINE TELECOMMUNICATIONS INC., TO PURCHASE A BACK UP POWER SUPPLY FOR POLICE DEPARTMENT DISPATCH AND FINDING A REAL AND PRESENT EMERGENCY EXISTS WITH THE DIVISION OF PUBLIC SAFETY PURSUANT TO O.R.C. 735.051 AND DECLARING AN EMERGENCY.

Mr. Cumston moved to add the legislation to the agenda with Mr. Schertzer seconding and Mr. Thomas providing the third.

Whereupon, President Reid declared the legislation added to the agenda.

Mayor Kellogg advised that this would be for a battery back up unit for the police and Fire 911 System. He said that with last weeks storms the power went out and that there was no 911 service in the city. He said that the generator at City Hall is bad and that next week they will be coming for a spec and bid on that item. Mr. Schertzer asked when the system went down did the 911 system roll over to the County. Mayor Kellogg advised that it did.

Mrs. Davis moved to suspend rule 56 with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the rules of council suspended.

Mrs. Davis moved to adopt with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation adopted.

Matters not on the Agenda – Mr. Schertzer congratulated and thanked Captain Makowski for his hard work on the controlled burn. Mr. Schertzer also thanked Nucor Steel for their donation of the building. Mr. Schertzer said that he has been asked about the sirens and why they were not sounded during the storm. Mayor Kellogg said that the sirens are set off when they receive notification from Cleveland. He said that with this storm, the storm was on you and there was no warning with the straight line winds around 70 mph. Mr. Schertzer asked how this will affect the tree removal program. Mr. Bischoff advised that there are 20 trees on the list and they will be looking at the list with the recent storms to see what needs taken down first. Mayor Kellogg advised that with the trees in the tree lawn they are the property owners responsibility but that if the property owners get the limbs to the street the city will take them away. Mr. Schertzer, Dr. Gilsdorf and Mrs. Davis thanked all departments and crews for their hard work in cleaning up the city and county during this storm. Mrs. Davis asked Mayor Kellogg if there would be any federal dollars made available. Mayor Kellogg advised that he is not aware of any at this time.

Mr. Don Fleming, 2710 Richland Road spoke to the members. Mr. Fleming asked if the land at the airport has been purchased. Mayor Kellogg said that it had. Mr. Fleming said that as another comment he came forward a few weeks ago about the misuse of the City MAT Buses and said that he felt that there could be a better job done with the buses. Mr. Fleming thanked the church for their help.

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0455

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on August 27, 2007, Page Two
Held _____ 20 _____

RESOLUTION NO. 2007-36

RESOLUTION AUTHORIZING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-37

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR FY 2008 AND FY 2009 GRANTS THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION, AS AUTHORIZED UNDER FEDERAL TRANSIT LAWS; AS CODIFIED, 49 USC SECTION 5311, FINANCIAL ASSISTANCE FOR OTHER THAN URBANIZED AREAS AND FUNDS AVAILABLE FROM THE OHIO PUBLIC TRANSPORTATION GRANT PROGRAM AND OHIO ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM AND EXECUTING A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION UPON GRANT APPLICATION APPROVAL, AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-38

RESOLUTION WHEREBY THE CITY OF MARION AGREES TO PROVIDE FIRE PROTECTION, POLICE PROTECTION, STREET MAINTENANCE AND ALL OTHER ORDINARY CITY SERVICES PROVIDED WITHIN THE BOUNDARIES OF THE CITY OF MARION, TO THE PROPOSED TERRITORY FOR ANNEXATION TO THE CITY, LOCATED NORTH OF THE CITY OF MARION, CONTAINING 6.370 ACRES, AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda.

Mr. Smith moved to suspend the rules of council with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Smith moved to adopt with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-73

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION, BY REZONING THE PROPERTY LOCATED AT 136 PATTEN STREET FROM AN R-2 GENERAL DWELLING DISTRICT TO A C-5 GENERAL BUSINESS DISTRICT.

The legislations title received its first reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda. Mr. Smith requested a first reading with a public hearing on September 24, 2007.

Whereupon, President Reid declared the legislation received its first reading.

City Hall – Council Chambers at 7:30 p.m. on August 27, 2007, Page Three

Held

20

ORDINANCE NO. 2007-74

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO DISPOSE OF SIX VEHICLES PREVIOUSLY UTILIZED BY THE STREETS DEPARTMENT AND TWO VEHICLES PREVIOUSLY UTILIZED BY THE POLICE DEPARTMENT DECLARING THEY ARE NO LONGER NECESSARY FOR ANY PUBLIC PURPOSE, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-75

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SHELLY AND SANDS, INC. FOR THE 2007 STREET RESURFACING PROJECT 07-1R FOR THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-76

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO SPEC AND BID THE DEMOLITION OF CERTAIN STRUCTURES LOCATED WITHIN THE CITY OF MARION, HAVING FOUND SAME TO VIOLATE MARION CITY CODE AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Legislation, Codes & Regulations Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. Mr. Jerry Davis spoke to the members and thanked them for taking the first step in clearing some of the nuisance properties in the city. He said that about a year ago he spoke with Pam Hall, Dave Claborn and Tom Graser from the Marion Star and no action was taken until now. Mr. Davis said that this will be a fine legacy for Mayor Kellogg of cleaning up the nuisances. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-77

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to amend the legislation to reflect the increased donation for the Dog Park with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation amended.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0433

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 1014B

City Hall – Council Chambers at 7:30 p.m. on August 13, 2007, Page Six
Held _____ 20____

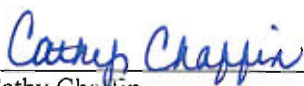
Committee Dates – Tuesday, August 21, 2007

6:30 p.m. Finance
6:45 p.m. Legislation, Codes & Regulations
7:00 p.m. Zoning & Annexation
7:15 p.m. Public Utilities

With no further business to come before council, President Reid adjourned the meeting.



Mr. Phil Reid
PRESIDENT OF COUNCIL



Cathy Charlton
CLERK OF COUNCIL

RECORD OF PROCEEDINGS

MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on August 27, 2007

Held

20

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick and Mr. Schertzer.

PRAYER – The invocation was led by Mr. Cumston.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – August 13, 2007.

Mr. Cumston moved to adopt the summary of proceedings for August 13, 2007 with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for August 13, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-68

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR SNOW REMOVAL SERVICES AT THE MARION MUNICIPAL AIRPORT AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-71

ORDINANCE AUTHORIZING THE MARION MUNICIPAL COURT TO ENTER INTO CONTRACT WITH SCHMIDT SECURITY PRO, FOR THE PURCHASE AND INSTALLATION OF A DIGITAL VIDEO RECORDING SYSTEM AND CAMERAS IN MUNICIPAL COURT AND RELATED OFFICES, AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

New Business:

RESOLUTION NO. 2007-35

RESOLUTION CONFIRMING THE APPOINTMENT, BY THE MAYOR, OF THE MEMBERS OF THE CITY OF MARION BOARD OF HEALTH LICENSE ADVISORY COUNCIL AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. Mr. Cumston moved to add the legislation with Mr. Schertzer seconding and Mrs. Davis providing the third. Mayor Kellogg advised that with the passage of Senate Bill 36 the license advisory board was formed and that he will be adding two members to the board through this legislation.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0457

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on August 27, 2007, Page Four

Held

20

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was:

YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-78

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH FIRE SAFETY SERVICES INC. FOR THE PURCHASE OF A GENERATOR FOR USE AT THE MARION FIRE DEPARTMENT AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was:

YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

Matters not on the Agenda – Mrs. Davis thanked everyone involved for doing a great job during the storm cleanup. Mr. Schertzer inquired as to a Traffic Commission meeting and a discussion regarding the timing of the downtown lights. Mr. Thomas agreed to call a committee to discuss the matter. Mr. Schertzer asked that with the utility billing department, why is someone getting billed when the water has been turned off. Mr. Cobb said that with the old accounting system there was no way to change the billing but they can do that now. He said that the storm water utility will still be billed.

Mr. Mark Russell said that prior to this evenings meeting he provided a handout to council about the remarkable work that the First Church of the Nazarene performed over the weekend. He said that there was over 700 volunteers who assisted in this endeavor and it was an incredible project. Mrs. Davis asked if this would be ongoing. Mr. Russell said that 72 projects were completed over the weekend and there has been another church looking to do the same. He said that this is all part of an ongoing effort.

Mr. Don Fleming, 2710 Richland Road spoke to the members about the energy crisis in the country along with the MAT System which he said could be re-organized to stop busses sitting idle and wasting fuel.

Committee Dates – Tuesday, September 4, 2007

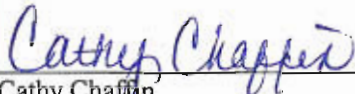
6:15 p.m. Traffic Commission

6:30 p.m. Finance

With no further business to come before council, President Reid adjourned the meeting.



Mr. Phil Reid
PRESIDENT OF COUNCIL



Cathy Chaffin
CLERK OF COUNCIL

RECORD OF PROCEEDINGS

MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on September 10, 2007

Held

20

ROLL CALL – Eight Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick and Mr. Schertzer.

Mrs. Pinnick moved to excuse Mrs. Davis with Mr. Cumston seconding. By a voice vote all members voted in approval.

PRAYER – The invocation was led by Mr. Cumston.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – August 27, 2007.

Mr. Cumston moved to adopt the summary of proceedings for August 27, 2007 with Mr. Ratliff seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for August 27, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-73

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION, BY REZONING THE PROPERTY LOCATED AT 136 PATTEN STREET FROM AN R-2 GENERAL DWELLING DISTRICT TO A C-5 GENERAL BUSINESS DISTRICT.

The legislation's title received its second reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda. Mr. Smith requested a second reading with a public hearing to be held on September 24, 2007.

Whereupon, President Reid declared the legislation received its second reading.

New Business:

RESOLUTION NO. 2007-39

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-40

RESOLUTION ESTABLISHING THE PUBLIC HEALTH INFRASTRUCTURE GRANT FUND.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-41

RESOLUTION OF THE MARION CITY COUNCIL REQUESTING THAT THE OHIO GENERAL ASSEMBLY AND THE OHIO CONGRESSIONAL DELEGATION CONTINUE TO SUPPORT THE FAMILIES OF OHIO, TO SUPPORT STRONG TRADE POLICY REGARDING INDUSTRY SUBSIDIZATION AND CURRENCY MANIPULATION BY FOREIGN GOVERNMENTS, AND TO TAKE SWIFT AND RESPONSIVE ACTIONS TO HALT OTHER UNLAWFUL BARRIERS TO FAIR AND FREE TRADE.

0439

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on September 10, 2007, Page Two

Held

20

The legislations title received its first reading. The legislation was added to the agenda by Mr. Cumston, Mr. Smith and Mr. Schertzer. Mr. Cumston Mayor Kellogg and Mr. Thomas thanked Nucor Steel for their efforts and commended them for bringing the matter forward. Mayor Kellogg said that he supported the legislation 100% and asked the Clerk to read the legislation in its entirety. Mrs. Chaffin read the legislation into the record.

Mr. Thomas moved to suspend rule 56 with Mr. Cumston seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to suspend the rules of council with Mr. Thomas seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Thomas moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-79

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE WIC FUND FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-80

ORDINANCE AUTHORIZING THE PAYMENT OF AN INVOICE PURSUANT TO SECTION 5705.041 (D)(1) OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-81

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$5,240,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF (i) CONSTRUCTING, EQUIPPING AND FURNISHING A CENTRAL GARAGE BUILDING, TOGETHER WITH ALL NECESSARY APPURTENANCES, (ii) CONSTRUCTING A MAIN TRUNK SANITARY SEWER AND IMPROVING THE QUQUA DITCH, MARY STREET, HIGH STREET, VINE STREET, NORTH GREENWOOD STREET AND STATE STREET, BETWEEN CERTAIN TERMINI, BY CONSTRUCTING SANITARY SEWERS, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND (iii) IMPROVING CLINTON STREET, SILVER STREET, WATERLOO STREET AND OAKGROVE AVENUE, BETWEEN CERTAIN TERMINI, BY CONSTRUCTING SANITARY SEWERS AND STORM WATER SEWERS, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

**RECORD OF PROCEEDINGS
MARION CITY COUNCIL**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on September 10, 2007, Page Three

Held

20

ORDINANCE NO. 2007-82

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,600,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF IMPROVING FRANCONIA AVENUE, BETWEEN CERTAIN TERMINI, BY CONSTRUCTING SANITARY SEWERS AND STORM WATER SEWERS, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

Matters not on the Agenda – None.

Committee Dates – Tuesday, September 18, 2007

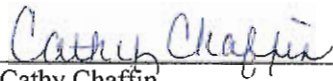
6:20 p.m. Airport, Lands & Buildings

6:30 p.m. Finance

With no further business to come before council, President Reid adjourned the meeting.



Mr. Phil Reid
PRESIDENT OF COUNCIL



Cathy Chaffin
CLERK OF COUNCIL

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on September 24, 2007

Held

20

ROLL CALL – Eight Members Answered – Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis and Mr. Schertzer.

Mr. Cumston moved to excuse Mr. Ratliff with Mr. Schertzer seconding. By a voice vote all members voted in approval.

PRAYER – President Reid led the members in a moment of silent prayer.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – September 10, 2007.

Mr. Cumston moved to adopt the summary of proceedings for September 10, 2007 with Mr. Ratliff seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for September 10, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-73

ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION, BY REZONING THE PROPERTY LOCATED AT 136 PATTEN STREET FROM AN R-2 GENERAL DWELLING DISTRICT TO A C-5 GENERAL BUSINESS DISTRICT.

The legislation's title received its third reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda.

President Reid opened the matter for public hearing. Mr. Thomas advised that he was asked by Mr. Ratliff to read a four comments from a neighbor to the property Mr. William Tiller. Mr. Tiller's questions were: 1. Will there be a fence installed between the properties; 2. Requested no further signage; 3. What business will Mr. Daniels locate on the property; 4. Security lighting. Mr. Daniels advised that he does intend to install a privacy fence and the lighting will be directional lighting so as to not interfere with the other properties. Mr. Daniels advised that with the respect to the usage he does intend to use this for his business as well as offices but that he is somewhat limited on the site because of the lot size and setback requirements. Mr. Daniels further said that on the signage will be changing this at some point in the future to what the code will allow. There being no further discussion, President Reid closed the public hearing.

Mr. Smith moved to adopt with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-81

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$5,240,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF (i) CONSTRUCTING, EQUIPPING AND FURNISHING A CENTRAL GARAGE BUILDING, TOGETHER WITH ALL NECESSARY APPURTENANCES, (ii) CONSTRUCTING A MAIN TRUNK SANITARY SEWER AND IMPROVING THE QUQUA DITCH, MARY STREET, HIGH STREET, VINE STREET, NORTH GREENWOOD STREET AND STATE STREET, BETWEEN CERTAIN TERMINI, BY CONSTRUCTING SANITARY SEWERS, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND (iii) IMPROVING CLINTON STREET, SILVER STREET, WATERLOO STREET AND OAKGROVE AVENUE, BETWEEN CERTAIN TERMINI, BY CONSTRUCTING SANITARY SEWERS AND STORM WATER SEWERS, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Cramer read the fiscal officers certificate into the record.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

City Hall – Council Chambers at 7:30 p.m. on September 24, 2007, Page Two

Held

20

ORDINANCE NO. 2007-82

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,600,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF IMPROVING FRANCONIA AVENUE, BETWEEN CERTAIN TERMINI, BY CONSTRUCTING SANITARY SEWERS AND STORM WATER SEWERS, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Cramer read the fiscal officers certificate into the record.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

New Business:

RESOLUTION NO. 2007-42

RESOLUTION HONORING MAYOR JACK L. KELLOGG FOR HIS YEARS OF DEDICATED PUBLIC SERVICE.

The legislation was added to the agenda by Mr. Schertzer, Mrs. Davis and Mr. Cumston providing the third. The legislation's title received its first reading. Mr. Schertzer requested that the Clerk read the legislation. Mrs. Chaffin read the legislation into the record. Mr. Schertzer and Mr. Thomas thanked Mayor Kellogg for his years of service and dedication to the City of Marion. Mayor Kellogg received a standing ovation.

Mr. Schertzer moved to suspend the committee consideration with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RESOLUTION NO. 2007-43

RESOLUTION ESTABLISHING THE POLICE CONTINUING TRAINING FUND.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-83

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUND FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to amend the legislation to add the Airport Appropriation for the insurance with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation amended.

0443

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on September 24, 2007, Page Three

Held

20

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-84

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH CONTECH BRIDGE SOLUTIONS TO PURCHASE A PEDESTRIAN BRIDGE FOR THE HARDING HIGH SCHOOL AT A COST OF \$39,850.00 AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to amend the legislation to correct a clerical error in the emergency clause. with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation amended.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-85

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH CARTER LUMBER FOR THE PURCHASE OF A FURNACE/AIR CONDITIONING UNIT AT A COST OF \$3,500.00 FOR THE STREETS DEPARTMENT TRAFFIC SIGNAL OFFICE AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-86

ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM TO THE PREVIOUSLY EXECUTED LEASE OF REAL PROPERTY AT THE AIRPORT INDUSTRIAL PARK TO THE STEVENS CONSTRUCTION COMPANY AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Airport, Lands & Buildings Committee to place on the agenda. Mr. Thomas asked for a clarification as to why we would be changing the lease. Mr. Russell explained that this is these changes specifically relating to the Stevens Family Trust puts the city in the best position as there would be additional assets to seek in the event that something would happen and that there are also some clean up items with respect to easements and the mortgage that will be placed on the property.

Mrs. Pinnick moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mrs. Pinnick moved to adopt with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on September 24, 2007, Page Four

Held

20

Matters not on the Agenda – Mayor Kellogg advised that he has been in contact with the County Engineer and others and they are asking for a letter of support for the roadway project through Ohio State University that will connect to 309. He said that they are asking for a letter of support from his office and the council. Mr. Schertzer moved to direct the Clerk to compose a letter from council in support of the roadway project with Mr. Cumston seconding. Mr. Thomas said that we have been in the process for over three years now and hopefully this will help to have letters of support. By a voice vote all members voted in approval.

Whereupon, President Reid declared the motion approved.

Mr. Sulu Kelly spoke of the recent work that is being performed by the Ohio American Water Company with respect to the digging in the street on State Street between Church and Center. Mr. Kelly encouraged the engineers office to be on site when they are closing and patching the street to prevent any problems with the company not performing the task.

Committee Dates – Monday, October 1, 2007

6:30 p.m. Finance

7:00 p.m. Zoning & Annexation

With no further business to come before council, President Reid adjourned the meeting.



Mr. Phil Reid
PRESIDENT OF COUNCIL



Linda Strzelecki
CLERK OF COUNCIL
PRO TEMPORE

0445

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on October 8, 2007

Held

20

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis and Mr. Schertzer.

PRAYER – President Reid led the members in a moment of silent prayer.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – September 24, 2007.

Mr. Cumston moved to adopt the summary of proceedings for September 24, 2007 with Dr. Gilsdorf seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for September 24, 2007 adopted.

New Business:

ORDINANCE NO. 2007-87

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUND FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-88

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH JOHNSON PROPERTY SERVICES, FOR SNOW REMOVAL AT MARION MUNICIPAL AIRPORT ON RUNWAYS, TAXIWAYS, RAMPS AND ANY OTHER DESIGNATED AREAS ON AIRPORT PROPERTY AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-89

ORDINANCE TO ACCEPT THE PETITION FOR ANNEXATION OF CERTAIN TERRITORY LOCATED NORTH OF THE CITY OF MARION, CONTAINING 1.262 ACRES, THE PETITION HAVING BEEN APPROVED BY THE COMMISSIONERS FOR THE COUNTY OF MARION.

The legislations title received its first reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda. Mr. Smith requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-90

ORDINANCE TO ACCEPT THE PETITION FOR ANNEXATION OF CERTAIN TERRITORY LOCATED SOUTH OF THE CITY OF MARION, CONTAINING .0614 ACRES, THE PETITION HAVING BEEN APPROVED BY THE COMMISSIONERS FOR THE COUNTY OF MARION.

The legislations title received its first reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda. Mr. Smith requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

City Hall – Council Chambers at 7:30 p.m. on October 8, 2007, Page Two
20

Held

ORDINANCE NO. 2007-91

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO REQUEST PROPOSALS FOR THE MARTIN LUTHER KING PARK BASKETBALL RESURFACING PROJECT.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-92

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH DAVID WILLIAMS AND ASSOCIATES FOR THE COMMUNITY DISTRESS PARK IMPROVMENT PROJECT, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-93

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH STEPHEN CAMPBELL & ASSOCIATES FOR THE PURCHASE OF ONE (1) DYNAMIC INSTRUMENTS VOICE VAULT 12 CHANNEL DVD RECORDER WITH 17" FLAT SCREEN MONITOR FOR USE IN THE COMBINED DISPATCH CENTER IN THE MARION POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

Matters not on the Agenda – Commissioner Josh Daniels spoke to the members and advised that on October 9, 2007 at 9:00 a.m. the Marion County Commissioners will meet to discuss a resolution to begin the process of the connector road from the Phoenix Development to State Route 309. Mr. Daniels read a letter from the United Federal Credit Union in support of the proposed project and asked the Council to support the roadway project. United Federal Credit Union is the first property sold on the Phoenix Development. Mr. Daniels said that the county will be using a 75% TIF to fund the roadway and the final 25% will be used to fund the levies currently in place. He further advised that the property owner behind the Phoenix Development is willing to give the county the roadway and turn lane properties.

Mr. Cumston moved to support the proposal with Mrs. Davis seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the motion approved.

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0447

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10146

City Hall – Council Chambers at 7:30 p.m. on October 8, 2007, Page Three
Held _____ 20 _____

Committee Dates – Tuesday, October 16, 2007

6:30 p.m. Finance

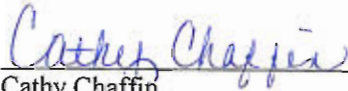
6:45 p.m. Jobs & Economic Development

7:00 p.m. Streets & Sewers

With no further business to come before council, President Reid adjourned the meeting.



Mr. Phil Reid
PRESIDENT OF COUNCIL



Cathy Chaffin
CLERK OF COUNCIL

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0449

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on October 22, 2007

Held _____ 20 _____

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis and Mr. Schertzer.

PRAYER – Reverend Ken Durtsche led the invocation.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – October 8, 2007.

Mr. Cumston moved to adopt the summary of proceedings for October 8, 2007 with Mrs. Pinnick seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for October 8, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-89

ORDINANCE TO ACCEPT THE PETITION FOR ANNEXATION OF CERTAIN TERRITORY LOCATED NORTH OF THE CITY OF MARION, CONTAINING 1.262 ACRES, THE PETITION HAVING BEEN APPROVED BY THE COMMISSIONERS FOR THE COUNTY OF MARION.

The legislation's title received its second reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda. Mr. Smith requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

ORDINANCE NO. 2007-90

ORDINANCE TO ACCEPT THE PETITION FOR ANNEXATION OF CERTAIN TERRITORY LOCATED SOUTH OF THE CITY OF MARION, CONTAINING .0614 ACRES, THE PETITION HAVING BEEN APPROVED BY THE COMMISSIONERS FOR THE COUNTY OF MARION.

The legislation's title received its second reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda. Mr. Smith requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

New Business:

RESOLUTION NO. 2007-44

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARION, OHIO TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY.

The legislation's title received its first reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda.

Mr. Thomas moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Thomas moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

ORDINANCE NO. 2007-94

ORDINANCE TO VACATE THE STREET KNOWN AS LINDEN PLACE IN THE W.T. JONES 3RD ADDITION TO THE CITY OF MARION, OHIO, VACATING THE PARTIAL PLAT OF LOTS A THROUGH R LOCATED IN PART OF W.T. JONES 3RD ADDITION TO THE CITY OF MARION AND C & C MARTIN'S SUBDIVISION OF H. PETERS 2ND ADDITION TO THE CITY OF MARION, OHIO AND PROVIDING FOR SAID PROPERTY'S NEW LEGAL DESCRIPTION.

The legislation's title received its first reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda. Mr. Thomas requested a first reading with a public hearing on November 26, 2007.

Dr. Gilsdorf asked what does the clean up to Industrial Standards mean. Mr. Frank advised that he could not specifically clear up the industrial standards but he can state for certainty that the site would never be used for residential purposes. Dr. Gilsdorf asked with the site not being used for residential purposes what is the effect on the residential areas that are

Held

City Hall – Council Chambers at 7:30 p.m. on October 22, 2007, Page Two

20

about 25 to 30 feet away and what is the time frame for completion. Mr. Frank advised that there is no data to suggest that any migration has traveled off site and that they have taken sample around the site which has not yet been validated. He said that the fencing is in place for security as they have had some issues with dumping on the property and that the any clean up will take typically several years and several phases. Mr. Frank explained that the processes for the testing is that they gather the samples and data, review the findings with the EPA then remove and remediate. Once the first phase is complete they repeat the process several times and it could only be a guess on the number of years. Mrs. Davis asked about the validation process and if the site can be capped. Mr. Frank explained that the tests are taken and then validated to see what they reveal and that capping is an option. Mr. Frank further clarified that Industrial standards does not mean that an industrial factory is the only use for the land but that Columbia Remainder has no intentions of using the property for residential.

There being no further discussion, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-95

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-96

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT FOR THE DEMOLITION OF CERTAIN STRUCTURES LOCATED WITHIN THE CITY OF MARION, HAVING FOUND SAME TO VIOLATE MARION CITY CODE AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to approve suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer advised that the properties being discussed for demolition are 290 Glad and 1014 Oak Grove along with a couple of other properties which can be demolished once some additional details are worked out. Dr. Gilsdorf asked if these could be torn down at the discretion of the Safety/Service Director. Mr. Russell advised that in Section 2 of the ordinance there is an important step which will authorize Mr. Cobb to contract for the demolition of 443 Lee and 177 Lincoln and there is the possibility of a private/public partnership to remediate the nuisances. Mr. Russell explained the history of the two properties and said that they are trying a new direction to see if this may be a viable option for the future.

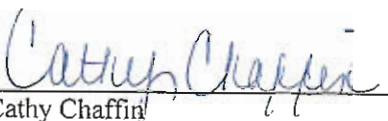
Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the legislation adopted.

Committee Dates – Tuesday, November 20, 2007

- 6:15 p.m. Zoning & Annexation
- 6:30 p.m. Finance
- 6:45 p.m. Municipal services, Parks & Recreation
- 7:00 p.m. Public Utilities

With no further business to come before council, President Reid adjourned the meeting.


Cathy Chaffin
CLERK OF COUNCIL


Mr. Phil Reid
PRESIDENT OF COUNCIL

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0451

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held City Hall -- Council Chambers at 7:30 p.m. on November 13, 2007

20

ROLL CALL -- Eight Members Answered -- Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis and Mr. Schertzer.

Mrs. Pinnick moved to excuse Mr. Ratliff with Mrs. Davis seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mr. Ratliff excused.

PRAYER -- Mr. Cumston led the invocation.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES -- Summary of proceedings of council meeting -- October 22, 2007.

Mr. Cumston moved to adopt the summary of proceedings for October 22, 2007 with Mrs. Pinnick seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for October 22, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-89

ORDINANCE TO ACCEPT THE PETITION FOR ANNEXATION OF CERTAIN TERRITORY LOCATED NORTH OF THE CITY OF MARION, CONTAINING 1.262 ACRES, THE PETITION HAVING BEEN APPROVED BY THE COMMISSIONERS FOR THE COUNTY OF MARION.

The legislation's title received its third reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda.

Mr. Smith moved to adopt with Mr. Thomas seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-90

ORDINANCE TO ACCEPT THE PETITION FOR ANNEXATION OF CERTAIN TERRITORY LOCATED SOUTH OF THE CITY OF MARION, CONTAINING .0614 ACRES, THE PETITION HAVING BEEN APPROVED BY THE COMMISSIONERS FOR THE COUNTY OF MARION.

The legislation's title received its third reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda.

Mr. Smith moved to adopt with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-94

ORDINANCE TO VACATE THE STREET KNOWN AS LINDEN PLACE IN THE W.T. JONES 3RD ADDITION TO THE CITY OF MARION, OHIO, VACATING THE PARTIAL PLAT OF LOTS A THROUGH R LOCATED IN PART OF W.T. JONES 3RD ADDITION TO THE CITY OF MARION AND C & C MARTIN'S SUBDIVISION OF H. PETERS 2ND ADDITION TO THE CITY OF MARION, OHIO AND PROVIDING FOR SAID PROPERTY'S NEW LEGAL DESCRIPTION.

The legislation's title received its second reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda. Mr. Thomas requested a second reading with a public hearing on November 26, 2007.

Whereupon, President Reid declared the legislation received its second reading.

New Business:

RESOLUTION NO. 2007-45

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$4,500.00 TO THE PUBLIC HEALTH INFRASTRUCTURE FUND FROM THE GENERAL FUND.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

RECORD OF PROCEEDINGS

MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on November 13, 2007, Page Two

Held

20

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

ORDINANCE NO. 2007-97

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE ROTARY FUND FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

Matters not on the agenda: Mrs. Evelyn Cummings spoke to the members about the Marion Homelessness Programs and reviewed the attached handout with the members of council. Dr. Gilsdorf asked about the unwanted publications that are delivered and thrown in yards, abandoned homes and other places. Mr. Russell advised that Mr. Cobb has laid the ground work in speaking with the newspaper to find the delivery persons that continue to deliver the newspapers in the wrong places. Dr. Gilsdorf said that he has seen where they are thrown in yards and other places and that under certain conditions they can clog the catch basins. Mr. Russell said that the matter could be referred to committee or they can meet with the appropriate person in command to address the matter further.

Mr. Tom Tomlin commended Mayor Kellogg on his 16 years of serve and thanked Phil and Scott for a good clean campaign and how they conducted themselves. Mr. Tomlin commended the city employees for outstanding service in response to the storm and spoke on the subject matter of leaves being raked into the street along with grass clippings and said that with this they can be a problem. Mr. Tomlin spoke of one child who was hit because they were jumping in a pile of leaves that was close to the roadway and asked if the city could possibly make people aware that this could pose a danger. Mr. Tomlin further asked if the city had considered giving seniors a break on their trash bills because of the amount of trash they generate versus a family is significantly less. Mr. Cumston said that there is a program in place for discounts on the bills and thanked Mr. Tomlin for coming forward with the positive comments as the council does not often hear them. Mr. Thomas said that the Safety/Service Director has been on the radio and asked people to not rake the leaves into the street and that the policy is to rake the leaves to the tree lawn.

Willis Crockett of 429 Milburn Avenue spoke about the abandoned, fire damaged and dilapidated homes in his neighborhood. He asked the city can cite these owners or tear them down as they are an eyesore. Mr. Crockett spoke of several addresses. Mr. Schertzer said that he is very familiar with the addresses and that the task force is working to resolve these issues. Dr. Gilsdorf asked Mr. Crockett to come forward at a later date to speak in favor of some proposed changes to the code which will help to deal with these issues.

Committee Dates – Tuesday, November 20, 2007

- 6:15 p.m. Zoning & Annexation
- 6:30 p.m. Finance
- 6:45 p.m. Municipal services, Parks & Recreation
- 7:00 p.m. Public Utilities

With no further business to come before council, President Reid adjourned the meeting.


Cathy Chaffin
CLERK OF COUNCIL


Mr. Phil Reid
PRESIDENT OF COUNCIL

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0453

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on November 26, 2007

Held

20

ROLL CALL – Seven Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis and Mr. Schertzer.

Mr. Cumston moved to excuse Mr. Smith and Mrs. Pinnick with Mrs. Davis seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mr. Smith and Mrs. Pinnick excused.

PRAYER – Mr. Cumston led the invocation.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – November 13, 2007.

Mr. Cumston moved to adopt the summary of proceedings for November 13, 2007 with Mr. Schertzer seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for November 13, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-94

ORDINANCE TO VACATE THE STREET KNOWN AS LINDEN PLACE IN THE W.T. JONES 3RD ADDITION TO THE CITY OF MARION, OHIO, VACATING THE PARTIAL PLAT OF LOTS A THROUGH R LOCATED IN PART OF W.T. JONES 3RD ADDITION TO THE CITY OF MARION AND C & C MARTIN'S SUBDIVISION OF H. PETERS 2ND ADDITION TO THE CITY OF MARION, OHIO AND PROVIDING FOR SAID PROPERTY'S NEW LEGAL DESCRIPTION.

The legislation's title received its third reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda. President Reid opened the public hearing. There being no discussion, President Reid closed the public hearing.

Mr. Thomas moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

New Business:

RESOLUTION NO. 2007-46

RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF MARION ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS SANITARY SEWER IMPROVEMENT AND STORM SEWER IMPROVEMENT FUNDS FOR THE OAKGROVE & WATERLOO STREET SEWER IMPROVEMENTS PROJECT CP05K WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Cramer explained that the project will begin next year with the grant dollars used first and that the loan dollars and that the city can reimburse itself for the expenses incurred.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-98

ORDINANCE MAKING APPROPRIATION ADJUSTMENTS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

RECORD OF PROCEEDINGS

MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on November 26, 2007, page Two

Held 20

Mr. Schertzer moved to adopt with Mr. Cumston seconding. . The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-99.

ORDINANCE APPROVING THE PROPOSAL SUBMITTED BY THE ADMINISTRATION, ITS HUMAN RESOURCE DIRECTOR AND THE EMPLOYEE BENEFIT COMMITTEE NECESSITATED BY SIGNIFICANT INCREASES ASSOCIATED WITH CONTINUING WITH THE CURRENT HEALTH INSURANCE PROVIDER, AUTHORIZING THE ADMINISTRATION TO COMPLETE ALL ACTS NECESSARY TO IMPLEMENT THE CONTRACT WITH MEDICAL MUTAL OF OHIO AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mr. Cumston seconding.

Dr. Gilsdorf expressed his concerns over the short time frame in which there has been no time to consider the alternatives. Mayor Kellogg said that the administration has worked hard on the insurance for the last 6 to 8 months and that everyone knew and that nothing was said. Mr. Ratliff said that so often council has their back to the wall and questioned whether or not this is the best decision but noted that something must be done now. Mr. Cumston said that with the increased costs this highlights the problems with the medical industry and said that there are no good alternatives. Mr. Thomas said that he understands the problems and concerns and that there is a healthcare committee that meets regularly to discuss the healthcare and the only other thing that could be done is for a councilperson to sit on the committee. Mr. Thomas further said that there are no winners here other than the insurance companies. Dr. Gilsdorf said that with all due respect he did not see any announcements about the meetings. Mr. Schertzer noted that this would not be the first time a special committee has been formed to work with the administration and that he is not sure there is a better solution and that he welcomes any suggestions. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-100

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (YARGER), AS AMENDED, ORDINANCE NO. 1994-28, AS AMENDED, ORDINANCE 1995-144, AS AMENDED, ORDINANCE NO. 1999-126, AS AMENDED, AND ORDINANCE NO. 2002-100 BY UPGRADING THE SALARY RANGE OF PAY GRADE 28E, AND DECLARING AND EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the motion failed and that the legislation received its first reading.

ORDINANCE NO. 2007-101

ORDINANCE TO ACCEPT THE PETITION FOR ANNEXATION OF CERTAIN TERRITORY LOCATED NORTH OF THE CITY OF MARION, CONTAINING 6.370 ACRES, THE PETITION HAVING BEEN APPROVED BY THE COMMISSIONERS FOR THE COUNTY OF MARION.

The legislations title received its first reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda. Mr. Schertzer requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-102

ORDINANCE TO AMEND ORDINANCE NO. 1969.29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE TRANSPORTATION COORDINATOR – SENIOR CENTER.

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0455

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on November 26, 2007, Page Three

Held

20

The legislations title received its first reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda.

Mr. Cumston moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Cumston moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-103

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.

Mr. Thomas moved to add the legislation to the agenda with Mr. Cumston seconding and Mr. Schertzer providing the third.

The legislations title received its first reading. Mr. Thomas requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

Matters not on the agenda: Mrs. Davis reminded everyone about the Downtown Christmas Parade on Saturday beginning at noon. Mr. Bradley Hall asked if there was an update on the home on Eckley Drive as the home has been torn down. Mr. Russell said that it is most likely that Nucor Steel had purchased the home and cleared the property but that he would check. Mr. Nick Clarke of 369 Bellefontaine Avenue expressed his thanks and gratitude for the individuals from the city that came to the meeting for the neighborhood association. Mr. Clarke invited all members to the meetings which are held on the third Monday of each month 6:30 p., at the Legion Hall on Bellefontaine.

Committee Dates – Monday, December 4, 2007

6:30 p.m. Finance

6:45 p.m. Municipal services, Parks & Recreation

7:00 p.m. Legislation, Codes & Regulations

With no further business to come before council, President Reid adjourned the meeting.


Cathy Chaffin
CLERK OF COUNCIL


Mr. Phil Reid
PRESIDENT OF COUNCIL

RECORD OF PROCEEDINGS
MARION CITY COUNCIL

0457

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

City Hall – Council Chambers at 7:30 p.m. on December 10, 2007

Held

20

ROLL CALL – Eight Members Answered – Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick and Mr. Schertzer.

Mr. Schertzer moved to excuse Mr. Cumston with Mr. Ratliff seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared Mr. Cumston excused.

PRAYER – Mr. Sulu Kelley led the invocation.

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – November 26, 2007.

Mr. Thomas moved to adopt the summary of proceedings for November 26, 2007 with Mrs. Pinnick seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for November 26, 2007 adopted.

Old Business:

ORDINANCE NO. 2007-100

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (YARGER), AS AMENDED, ORDINANCE NO. 1994-28, AS AMENDED, ORDINANCE 1995-144, AS AMENDED, ORDINANCE NO. 1999-126, AS AMENDED, AND ORDINANCE NO. 2002-100 BY UPGRADING THE SALARY RANGE OF PAY GRADE 28E, AND DECLARING AND EMERGENCY.

The legislation title received its second reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff, Mrs. Pinnick.

Whereupon, President Reid declared the motion failed and that the legislation received its second reading.

ORDINANCE NO. 2007-101

ORDINANCE TO ACCEPT THE PETITION FOR ANNEXATION OF CERTAIN TERRITORY LOCATED NORTH OF THE CITY OF MARION, CONTAINING 6.370 ACRES, THE PETITION HAVING BEEN APPROVED BY THE COMMISSIONERS FOR THE COUNTY OF MARION.

The legislation title received its second reading. There was a 3-0 vote from Zoning & Annexation Committee to place on the agenda. Mr. Smith requested a second reading.

Whereupon, President Reid declared the legislation received its second reading.

ORDINANCE NO. 2007-103

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.

The legislation title received its second reading.

Mr. Thomas moved to amend the legislation to change the amounts to a 3.2 % increase each year for the next four years. Mr. Ratliff said that he would much rather see a breakdown of each individual section. Mr. Russell said that the legislation was prepared in the same manner as the 1999 format and said that it is possible to separate if council so chooses. Mrs. Davis moved to separate the legislation into five separate pieces of legislation with Mrs. Pinnick seconding.

The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the motion passed.

Mrs. Chaffin provided the new legislation Ordinance Nos. : 2007-103 for the Mayor; 2007-110 for the Law Director; 2007-111 for the First Assistant Law Director; 2007-112 for the Second Assistant Law Director; and 2007-113 for the third Assistant Law Director.

Mr. Thomas moved to recess for five minutes with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the council in recess.

Council resumes:

RECORD OF PROCEEDINGS

MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held City Hall -- Council Chambers at 7:30 p.m. on December 10, 2007, Page Two 20

Mr. Ed Christian spoke to the members in opposition of the proposed pay increases and said that the main reason he is against the pay raises is because the city is going to spend 20 million dollars for the state mandated items and that \$15,000 is outrageous and further said that the law requires three readings. Mr. Christian said that he wanted council to finish the issue tonight. Mr. Ralph Hill said that at the last council meeting he had his attorneys office call him and ask where he was. He said that he called his councilman and he said that he didn't know anything about it and that this was supposed to be a part of Parks and Recreation and how can that happen. Mr. Hill said that there is nepotism especially with the recent fact of how that was brought up. Mr. Hill spoke of the last meeting of council and when Mr. Thomas pointed to Mr. Cumston and Mr. Schertzer and said that the city officials are corrupt. He said that this raise is more than some make in a year. Mr. Davis said that she has been on council for 14 years and that there has been only two raises given in the last fourteen years and that 3.2 % is not too much and if you need to pay good competent people. Mr. Tracy Cooperider said that the does not know the exact salary and said that they may not have had a raise but that they knew what the salary was when they ran for office and asked how this is an emergency. Mrs. Davis explained that the emergency clause allows the legislation to effect immediately. Mr. Ratliff explained what an emergency meant to him and that he does not like the suspension. Mr. Schertzer said that he has served on council for 9 years and provided an example that if the rules were not suspended the cost of the bid could up and taxpayers are going to pay more.

Mr. Ratliff said that it is a self created emergency. Mr. Christian said that hey are not against wages and asked why Mr. Cumston was not here. Mrs. Rosa Lemaster said that when Mr. Schertzer ran he knew what the salary was and that she lost her job from Parker Hannifin and said that very few people make more than \$15,000 a year and asked them to take a cut not a raise. Mrs. Pinnick said that the abilities of the elected officials are exceptional and that she can support the cost of living increases of 3% a year and that these changes are favorable. Mr. Don Guseman of 368 Homer Street said that the 3% is more than the lump sum. Mr. Ratliff again spoke in opposition.

Mr. Thomas moved to suspend the rules of council with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Thomas, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff, Mrs. Blevins.

Whereupon, President Reid declared the motion failed and the legislation received its first reading.

New Business:

ORDINANCE NO. 2007-104

ORDINANCE MAKING APPROPRIATION ADJUSTMENTS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2007.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-105

ORDINANCE AUTHORIZING THE PAYMENT OF AN INVOICE PURSUANT TO SECTION 5705.41 (D) (1) OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the rules of council with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to adopt with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

City Hall – Council Chambers at 7:30 p.m. on December 10, 2007, Page Three
Held _____ 20 _____

ORDINANCE NO. 2007-106**ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE STATE PATROL AGENCY FUND FOR THE YEAR ENDING DECEMBER 31, 2007.**

The legislation was added to the agenda by Mayor Kellogg. Mrs. Davis moved to add the legislation with Mr. Thomas seconding and Mr. Schertzer providing the third.

Mrs. Davis moved to suspend the committee consideration with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the rules of council suspended.

Mr. Schertzer moved to suspend the committee consideration with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mrs. Davis moved to adopt with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-107**ORDINANCE REESTABLISHING THE DEPARTMENT OF SAFETY WITHIN THE CODIFIED ORDINANCES OF THE CITY OF MARION CHAPTER 133, CREATING NECESSARY SECTIONS, REPEALING THOSE SECTIONS OF ORDINANCE 1991-145 WHICH ARE INCONSISTENT HERewith, AMENDING THE YARGER REPORT, AND DECLARING AN EMERGENCY.**

The legislation title received its first reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda.

Dr. Gilsdorf moved to suspend the committee consideration with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mrs. Blevins moved to adopt with Mr. Smith seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-108**ORDINANCE REESTABLISHING THE DEPARTMENT OF SERVICE WITHIN THE CODIFIED ORDINANCES OF THE CITY OF MARION CHAPTER 135, CREATING NECESSARY SECTIONS, REPEALING THOSE SECTIONS OF ORDINANCE 1991-147 WHICH ARE INCONSISTENT HERewith, AND DECLARING AN EMERGENCY.**

The legislation title received its first reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda.

Dr. Gilsdorf moved to suspend the committee consideration with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mrs. Blevins moved to adopt with Mr. Smith seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-109**ORDINANCE TO AMEND ORDINANCE NO. 1969.29 (KNOWN AS THE YARGER REPORT) AS AMENDED, BY REDEFINING THE DUTIES AND UPDATING THE JOB DESCRIPTION OF THE DEPUTY AUDITOR, INTERNAL AND INVESTMENT AUDITOR AND TAX COMMISSIONER FOR THE CITY OF MARION.**

The legislation title received its first reading. There was a 3-0 vote from the Municipal Services, Parks & Recreation Committee to place on the agenda.

Dr. Gilsdorf moved to suspend the committee consideration with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: Mr. Ratliff.

Whereupon, President Reid declared the rules of council suspended.

Mrs. Blevins moved to adopt with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation adopted.

ORDINANCE NO. 2007-110

ORDINANCE REESTABLISHING THE SALARY AND BENEFITS FOR STATUTORY OFFICE HOLDERS WITHIN THE CITY, OTHER HAN 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.

The legislations title received its first reading. Mr. Thomas requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-111

ORDINANCE REESTABLISHING THE SALARY AND BENEFITS FOR STATUTORY OFFICE HOLDERS WITHIN THE CITY, OTHER HAN 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.

The legislations title received its first reading. Mr. Thomas requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-112

ORDINANCE REESTABLISHING THE SALARY AND BENEFITS FOR STATUTORY OFFICE HOLDERS WITHIN THE CITY, OTHER HAN 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.

The legislations title received its first reading. Mr. Thomas requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

ORDINANCE NO. 2007-113

ORDINANCE REESTABLISHING THE SALARY AND BENEFITS FOR STATUTORY OFFICE HOLDERS WITHIN THE CITY, OTHER HAN 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.

The legislations title received its first reading. Mr. Thomas requested a first reading.

Whereupon, President Reid declared the legislation received its first reading.

Matters not on the agenda: Dr. Gilsdorf spoke on the issue of CANDO and said that he was one of the original people on the board. He said that there are two paragraphs in the newly revised by laws which address conflicts of interest and Dr. Gilsdorf made a couple of suggestions with term limits and changing the meeting times to the evenings. Mr. Sulu Kelly spoke to the members and said that those in attendance this evening should be ashamed of themselves as he attends each and every week and that he knows each one of the council members by name and that said that they should come to the meetings. Mr. Nick Clarke spoke to the members and said that he supports the pay raises and used the example of you get what you pay for. Mrs. Rosa Lemaster said that there needs to be new blood on CANDO and heard that everyone was related. Mrs. Imo Crowe said that these people work 7 days a week and attend more and more meetings each week. Mrs. Crowe said that they go above and beyond to help.

Committee Dates – Tuesday, December 18, 2007

6:30 p.m. Finance

6:45 p.m. Legislation, Codes & Regulations

With no further business to come before council, President Reid adjourned the meeting.


Cathy Chaffin

CLERK OF COUNCIL



Mr. Phil Reid
PRESIDENT OF COUNCIL

Held

20

MARION CITY COUNCIL

City Hall – Council Chambers at 7:30 p.m. on December 26, 2007. Amended

ROLL CALL –All Members Answered – Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Davis, Mrs. Pinnick and Mr. Schertzer and Mr. Reid.

Silent Prayer

PLEDGE OF ALLEGIANCE was led by President Reid.

MINUTES – Summary of proceedings of council meeting – December 10, 2007.

Mr. Cumston moved to adopt the summary of proceedings for December 10, 2007 with Mrs. Davis seconding. By a voice vote all members voted in approval.

Whereupon, President Reid declared the summary of proceedings for December 10, 2007 adopted.

Old Business:**ORDINANCE NO. 2007-100**

ORDINANCE TO AMEND ORDINANCE NO. 1969-29 (YARGER), AS AMENDED, ORDINANCE NO. 1994-28, AS AMENDED, ORDINANCE 1995-144, AS AMENDED, ORDINANCE NO. 1999-126, AS AMENDED, AND ORDINANCE NO. 2002-100 BY UPGRADING THE SALARY RANGE OF PAY GRADE 28E, AND DECLARING AN EMERGENCY.

The legislation's title received its third reading. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to adopt with Mr. Cumston seconding.

Mr. Ratliff: This is the upgrade pay range including Deputy Auditor? Thinking was a type in the ordinance, stated the pay increase would be of Jan 1, 2007, it should be 2008. Spoke with Bob Cramer, someone received a raise in an elevated number from what legally allowed to get per what the City Ordinance is, in turn illegally paid too much money. It raises the salary cap forever more. Poor situation to be in. Mistake in government should not constitute a bill to the Citizens. Mr. Thomas: If we don't pass this what happens Mr. Tim Murray: possibility to pay back, but unlikely. The Employee was paid more than the upper range of the Yarger Report. We went through proper procedures, nobody caught it.

The roll call vote was: YEAS: Mr. Cumston, Mr. Smith, Mr. Schertzer. NAYS: Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Whereupon, President Reid declared the legislation failed.

ORDINANCE NO. 2007-101

ORDINANCE TO ACCEPT THE PETITION FOR ANNEXATION OF CERTAIN TERRITORY LOCATED NORTH OF THE CITY OF MARION, CONTAINING 6.370 ACRES, THE PETITION HAVING BEEN APPROVED BY THE COMMISSIONERS FOR THE COUNTY OF MARION.

The legislation's title received its third reading. There was a 3-0 vote from the Zoning & Annexation Committee to place on the agenda.

Annexation of 6.30 acres, WMRN site. Motion to adopt by Mr. Smith, seconded by Mrs. Davis; The Roll call vote was: YEAS Mr. Ratliff; Mr. Thomas; Mrs. Blevins; Mr. Smith; Dr. Gilsdorf; Mrs. Pinnick; Mrs. Davis; Mr. Schertzer. Ordinance No. 2007-101, adopted.

Held _____ 20 _____

MARION CITY COUNCILCity Hall – Council Chambers at 7:30 p.m. on December 26, 2007, Page Two**ORDINANCE NO. 2007-103**

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. The legislations title received its second reading.

Mr. Schertzer: Mayor's pay increase, topic of discussion, does mayor elect deserve, comments made, few questions asked when asked will answer, knew what the salary was when running, did not ask for the raise, never voted for a raise, my vote would have been no. Law Director recommended to abstained – disagree but will. I'm going to recommend to vote to suspend and end it now. Vote to suspend, vote no, don't give me the raise. In the upcoming 2008, will introduce raise in 2012, can't give mid-term, give in beginning of 2008. Goes into effect in 2012 percentage (cost of living) is the best way to go. Asking to vote no on 2008 raise.

Dr. Gilsdorf: admire for comments – honor wishes.

Mr. Thomas motion to suspend, Mrs. Blevins 2nd. Mr. Cumston YEA; Mr. Ratliff NAY; Mr. Thomas YEA; Ms. Blevins YEA; Mr. Smith YEA; Dr. Gilsdorf; YEA; Mrs. Pinnick YEA; Mrs. Davis YEA; Mr. Schertzer YEA
Mr.

Audience: Ed Christian 193 Bellevue

Said never had a raise, saw raised hand, not much difference, talk to dozen of people, not an emergency, don't call it an emergency. This is warning.

Mrs. Davis: I won't be here next year, but she hopes every ordinance has an emergency clause on them. Emergency is not in the dictionary, it has a definition from the law of federal government down to us. An emergency clause allows you to get your streets cleaned, it allows us to pay the bills, it allows us to do many things in a timely mode.

Mr. Thomas: Mr. Christian keeps talking about emergency, are you upset on a certain ordinance?

Mr. Christian wants to let the town what's going on in here. It's never in the paper, we don't know nothing.

Mr. Thomas: That is not true. All Agenda's are in the paper, the clerk sends them. When the news print has it, what does this mean.

Mr. Reid – Gentlemen: We have to talk about this ordinance, come to the Committee Meetings for this "emergency" matter.

Mr. Ratliff explains about the emergency clause. Checks and balances. Mr. Ratliff feels that virtually no ordinance should be passed with an emergency clause.

Mr. Reid: One more comment, then we move on.

Mr. Thomas: I've discussed this with Mr. Ratliff in the past, if we don't put emergency clause on some of these legislations, spending money on with a contract. Street resurfacing. If we don't have an ER clause on it, go through 3 readings for the public to hear and discuss, then we would wait 30 days because we don't have the ER on it. Wait 30 days for Mayor to sign, wait another 30 days for

Held

20

MARION CITY COUNCIL

City Hall – Council Chambers at 7:30 p.m. on December 26, 2007, Page Three

the bid process, then it would come back to us to accept the bid, in another 3 readings, that it just for street resurfacing, anything that we do, and what we put ER on, just about all of those is what we are doing for this community, CDBG grants, we would end up 5 or 6 months to activate. That is the majority on what we have ER on. Everybody should understand this.

If you want to jam up this City, where everything has to go 3 readings, then that will happen. We have not broke the law.

Mrs. Davis: An example

Mr Ratliff – about procedure

Mr. Reid – that's enough

Mr. Reid – make a motion to adopt

Mr. Thomas motion to adopt, Mrs. Blevins 2nd. Mr. Cumston NAY; Mr. Ratliff NAY; Mr. Thomas NAY; Ms. Blevins NAY; Mr. Smith NAY; Dr. Gilsdorf; NAY; Mrs. Pinnick NAY; Mrs. Davis NAY; Mr. Schertzer abstain
Ordinance 2007-103 not adopted

ORDINANCE NO. 2007-110

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.

The legislations title received its second reading.

Dr. Gilsdorf: Its been stated to people in the last meeting, We are voting for the person, we are voting for the position. Mark has done an excellent job, the conviction rate is up the money coming in is up, done an excellent job advising City Council, and has not a raise in 7 years, I think he deserves a raise, because the office, the position and job he has done. It's rare we see a full house like this. I'd love to see a full house in the Counsel and Committee meetings. Know what's going on. I've been talking the past 3 years, that we have city employees that have accumulated sick time and vacation time. Up to this point about 4-1/2 mill dollars. Now that 4-1/2 mill dollars we have about 600,0000.00 in a savings account to be paid, got 2 million carryover this year, so if you do the math - 2 mil deficit, nobody is concerned about that. How are we going to pay it. The point is, for the most part, nobody is concerned about it. It's like a credit card, 4-1/2 mill, we can cover only 2 mill, bond it out, over 20 years plus interest, your children and grandchildren for the money that's going to paid out right now. Would you steal money from your children and grandchildren. Remember Doc Brown, "pay as you go". If we raise taxes to pay this, it's continuing to grow each and every year. But nobody is concerned about this, but your concerned about a raise. This problem needs to be resolved. I would love to see, my point is that fact is, Mr. Russell has done a good job, he deserves a raise.

Mr. Ratliff: I think what the numbers are here to say, they probably agree with you Doctor. There are 10 items on the agenda tonight, 6 are to give raises. The answer is not to pay more money, it's to save it, we clearly don't have the money to pay the bills, why are we giving out these raises.

Mr. Reid: Anybody in the audience.

Mr. Thomas: I've been accused of introducing this legislation in front of council in wrong place or when the meeting was closed. I introduced this piece on the agenda on the proper place where it says matter not on the agenda.

Held

20

MARION CITY COUNCILCity Hall – Council Chambers at 7:30 p.m. on December 26, 2007, Page Four

Also there has been some comments that the Mayor did not know that his issue was going to be introduced on the agenda, and reminded him that I have talk to him the week before and taken the ordinance into him. The Mayor did know. The item was in Committee the week before. Also it mentions that City Council voted down the living wage for everybody in the entire community. That living wage that I sponsored was not any corporation coming in with a tax abatement and if everybody is concerned with City Council this year, I added on legislation, job creation tax, they are required to pay 150% above the state or federal minimum wage, which is better than living wage and more money than what it was back in 1999. 12 years been on Council. We don't want to give increases, is that the issue, or is it the issue of how we are doing it? We shouldn't have done it this way. But I still think these people deserve one, I voted no on the mayor elect because he wanted us to. If he didn't ask us to vote no – I would have voted yes.

Mr. Christian: What you said was in the paper, you made this statement 6 months ago. Mr. Ratliff told my friend he didn't know anything about it.

Mr. Fleming – 2710 Richland Rd. – Losing value of constitution, can't pay money you don't have. I pay my bills and do without. What about the sick days.

Ms. Rosa LeMaster – 5650 Kenton Galion Rd. – Voting on pay raise for Mark see no difference on any pay raise, did they ask, withdrawn – same for Scott there is no money.

Joseph Scott – 577 Uncapher – have you read the Declaration of Independence (he read a portion), studied economics somewhat – destructive to people.

Mrs. Davis – weeks ago you were here, we have listened, saying the same thing over and over again. All we are doing is the same thing. Called the question.

Mr. Ratliff – We can't chastise people.

Mrs. Davis called on the question. Mr. Russell explained the procedure – To vote no continues debate, to vote yes ends debate. Roll Call – Mr. Cumston Nay;

Mr. Ratliff Nay; Mr. Thomas Yea; Mrs. Blevins Yea; Mr. Smith Nay; Dr. Gilsdorf Yea; Mrs. Pinnick Yea; Mrs. Davis Yea; Mr. Schertzer Yea;

Mr. Thomas made a motion to re-consider; Mr. Smith seconded; Mr. Smith voted Nay on the call to question, Mrs. Blevins seconded. Role call on only the Yeas on the call to question. Mr. Thomas Nay; Mrs. Blevins Nay; Dr. Gilsdorf Nay; Mrs. Pinnick Yea; Mrs. Davis Yea; Mr. Schertzer Nay.

Tracy Cooperider – 772 Blaine – done any kind of research on comparables.

Mr. Schertzer – yes

Mr. Smith – yes state auditor 20 years experience, 85,00 to 100,000 typical city of our size.

Mr. Ratliff – OML survey hard to read population 37,523 Marion, Toledo 86,000, not totally out of line for Cleveland 120,000

Teresa Haycox 617 Bordeaux – 18 years, if the city is in trouble, then how can we combat that

Joseph Scott – if put on ballot would it fly

Mr. Schertzer – there has been no campaign for this issue, probably would not.

Mrs. Davis – No

Mrs. Pinnick – no educate yourselves, people in the audience, Mark has done a phenomenal job, you get what you pay for.

Dr. Gilsdorf – promise you come to all the meetings vote for increase in tax come to all and change vote.

Mr. Smith – No

Mrs. Blevins – No anytime comes always help – deserves.

Held _____ 20 _____

MARION CITY COUNCILCity Hall – Council Chambers at 7:30 p.m. on December 26, 2007, Page Five

Mr. Ratliff – No- one promise vote consensus of ward

Charlie Cline 211 St. James – heard a lot of debate

Mr. Russell – does not matter what I say, every time it has been the position if you don't adjust will fall behind. We have law directors that does deserve.

Mr. Ratliff – worked 5 years – case law – citizens sue Cincinnati – not illusionary reason

Paula Clark 369 Bellefontaine Ave – moved from suburbs of a larger city very helpful for an increase in pay – asking for a raise, payments automatically go up.

Dr. Gilsdorf – how did it get that way – negotiated contracts, adopt or not collective bargaining.

Don Gusman, 368 Homer – 500 a week

Mr. Thomas – heard Dr. Gilsdorf, the 4.5 mill not all out of 2.2 general revenue fund, every employee retires or quit in the city – as far as union, what we do is vote for the appropriation. We don't negotiate the contract year to year basis. What he's saying is retirements – we talk about appropriation.

Dr. Gilsdorf – fact finding report negotiations would continue have not voted for a budget.

Mr. Thomas – not trying to find fault – do not remember the report – obligated by law to accept.

Mr. Thomas – Motion to Suspend; Ms. Pinnick 2nd – Mr. Cumston YEA; Mr. Ratliff NAY; Mr. Thomas YEA; Ms. Blevins YEA; Mr. Smith YEA; Dr. Gilsdorf; YEA; Mrs. Pinnick YEA; Mrs. Davis YEA; Mr. Schertzer YEA

Mr. Thomas – Motion to Adopt; Ms. Blevins 2nd. Mr. Cumston YEA; Mr. Ratliff NAY; Mr. Thomas YEA; Ms. Blevins YEA; Mr. Smith YEA; Dr. Gilsdorf; YEA; Mrs. Pinnick YEA; Mrs. Davis NAY; Mr. Schertzer YEA.

Ordinance 2007-110 adopted

ORDINANCE NO. 2007-111

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.

The legislations title received its second reading.

Mr. Thomas moved to table the legislation with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation tabled.

ORDINANCE NO. 2007-112

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.

The legislations title received its second reading.

Mr. Thomas moved to table the legislation with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation tabled.

Held _____ 20 _____

MARION CITY COUNCILCity Hall – Council Chambers at 7:30 p.m. on December 26, 2007, Page Six**ORDINANCE NO. 2007-113.**

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.

The legislations title received its second reading.

Mr. Thomas moved to table the legislation with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Whereupon, President Reid declared the legislation tabled.

New Business:**ORDINANCE NO. 2007-114.**

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH CUSTOM CRETE TO REPLACE CONCRETE ENTRANCE AND SIDEWALKS, AT THE MARION MUNICIPAL AIRPORT ADMINISTRATION BUILDING AND DECLARING AN EMERGENCY.

There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the legislation with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff

Mr. Schertzer moved to adopt the legislation with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None

ORDINANCE NO. 2007-115.

ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PURCHASE MATERIALS FROM VAN ATTA SUPPLY TO UPGRADE ELECTRICAL AND SURGE SUPPRESSION SYSTEMS AT THE ADMINISTRATION BUILDING AND AIRFIELD ELECTRICAL VAULT AT MARION MUNICIPAL AIRPORT AND DECLARING AN EMERGENCY.

There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to suspend the legislation with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Ratliff

Mr. Schertzer moved to adopt the legislation with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Ratliff, Mr. Thomas, Mrs. Blevins, Mr. Smith, Dr. Gilsdorf, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None

Held

20

MARION CITY COUNCIL

City Hall – Council Chambers at 7:30 p.m. on December 26, 2007, Page Seven

ORDINANCE NO. 2008-1.**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, 2008.**

There was a 3-0 vote from the Finance Committee to place on the agenda.
The legislations title received its first reading.

Other Matters not on the Agenda:

Mrs. Pinnick – thank Mrs. Davis – help a lot work very hard in 4th ward and at large member.

Mr. Ratliff – Avondale Ave – new sidewalks, letters, contacted by couple of bar owners, enforcement, make fair for all

Mrs. Davis – don't judge for the last 14 years, thank you for your support, I'm very proud of the Mayor, you don't hear the shot off the light. We need your help. In 1993 there was no one, very proud you came and participate, thanks everyone, I wish the new mayor and administration good luck. Thank you.

Mr. Thomas – 2 appointments for the CANDO Board – Mike Thomas, Dan Russell.

Mr. Thomas moved to approve the appointments, Mrs. Blevins 2nd. Mr. Cumston YEA; Mr. Ratliff YEA; Mr. Thomas YEA; Ms. Blevins YEA; Mr. Smith YEA; Dr. Gilsdorf; YEA; Mrs. Pinnick YEA; Mrs. Davis YEA; Mr. Schertzer YEA

With no further business to come before council, President Reid adjourned the meeting.


PRESIDENT OF COUNCIL
CLERK OF COUNCIL