



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

**MARION CITY COUNCIL
REGULAR MEETING
AGENDA**

March 23, 2020

Conducted by Video Conference by Order pursuant to Ohio Revised Code

Link: <https://zoom.us/j/606044192>

ROLL CALL

PRAYER

PLEDGE OF ALLEGIANCE

MINUTES of 03/09/2020

OLD BUSINESS

NEW BUSINESS

Item 1. RESOLUTION 2020-13: RESOLUTION OF THE COUNCIL FOR THE CITY OF MARION RECOGNIZING THE NATIONAL, STATE AND LOCAL EMERGENCY DECLARATIONS AND THE REAL AND PRESENT NEED TO MODIFY EXISTING RULES IN ORDER TO CONTINUE TO PROVIDE ALL NECESSARY AND VITAL MUNICIPAL SERVICES TO THE PEOPLE OF THE CITY OF MARION, OHIO DOES FIND IT NECESSARY TO ESTABLISH THE CHANGES CONTAINED HEREIN, AND DECLARING AN EMERGENCY

Item 2. ORDINANCE 2020-18: ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO AGREEMENT WITH THE SELECTED ENGINEER(S) FIRM FOR AIRPORT ENGINEERING SERVICES AS A RESULT OF THE FAA GRADING AND SELECTION PROCESS ADVERTISED BY "STATEMENT OF QUALIFICATION" AND DECLARING AN EMERGENCY.

Item 3. ORDINANCE 2020-19: ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH MATHEWS FORD MARION, INC. FOR THE PURCHASE OF TWO (2) VEHICLES FOR THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY.

Item 4. ORDINANCE 2020-20: ORDINANCE TO ESTABLISH A PARTNERSHIP AGREEMENT FOR CHIP PROJECTS BETWEEN THE COUNTY OF MARION AND THE CITY OF MARION AND DECLARING AN EMERGENCY.

Item 5. ORDINANCE 2020-21: ORDINANCE ADMENDING THE YARGER REPORT TO INCLUDE PARK SEASONAL LABORER AND ESTABLISH THEIR PAY GRADE AND DELCLARING AN EMERGENCY

Item 6. ORDINANCE 2020-22: ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO ENTER INTO CONTRACT WITH BURGESS AND NIPLE FOR THE ENGINEERING AND DESIGN OF THE S. GRAND AVENUE SEWER IMPROVEMENTS, PROJECT 20-2S FOR THE CITY OF MARION, OHIO, APPROPRIATING NECESSARY FUNDS, AND DECLARING AN EMERGENCY

Item 7. ORDINANCE 2020-23: ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR 2020 STREET RESURFACING PROJECT 20-1R, IN THE CITY OF MARION, OHIO

Item 8. ORDINANCE 2020-24: ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH TBD FOR THE FIRE STATION #1 REPAIR PROECT AND DECLARING AN EMERGENCY.

Item 9. RESOLUTION 2020-14: RESOLUTION AUTHORIZING THE AUDITOR TO TRANSFER APPROPRIATED GENERAL FUND MONIES TO PARKS, TRANSIT, POLICE, FIRE AND DISPATCH AND ANY OTHER FUNDS APPROVED BY COUNCIL FOR THE YEAR ENDING DECEMBER 31, 2020.

Item 10. RESOLUTION 2020-15: RESOLUTION BY COUNCIL, GIVEN THE CURRENT NATIONAL AND STATE EMERGENCIES, APPROVING IN PLACE OF THE FINANCE COMMITTEE THE FOLLOWING BUDGET MONIES TO BE TRANSFERRED WITHIN A DEPARTMENT

Item 11. RESOLUTION 2020-16: RESOLUTION AUTHORIZING THE ADVANCE OF FUNDS TO THE AIRPORT IMPROVEMENT FUND (408) TO COVER THE EXPENSE OF CONSTRUCTION OF THE NEW TERMINAL.

Item 12. RESOLUTION 2020-17: RESOLUTION AUTHORIZING THE PAYMENT OF PASS THROUGH MONIES FROM THE GENERAL FUND, APPROPRIATING SAID MONIES INTO FUND 215 (STATE HIGHWAY) FOR THE PAYMENT OF SERVICES PROVIDED ON THE SR 739 (BELLEFONTAINE AVE) CULVERT

Item 13. RESOLUTION 2020-18: RESOLUTION BY COUNCIL, GIVEN THE CURRENT NATIONAL AND STATE EMERGENCIES, APPROVING IN PLACE OF THE FINANCE COMMITTEE THE FOLLOWING BUDGET MONIES TO BE TRANSFERRED WITHIN A DEPARTMENT

Item 14. RESOLUTION 2020-19: RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2020, AND DECLARING AN EMERGENCY

OTHER BUSINESS

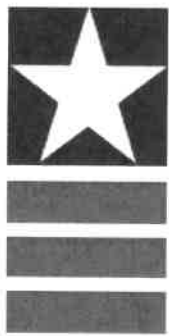
MATTERS NOT ON THE AGENDA

COMMITTEE MEETING SCHEDULE

ADJOURN



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City of
Marion
Ohio

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

COMMITTEE SCHEDULE

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

Committee	Chair		
Finance	Daniels		
Airport, Lands & Buildings	Schaber		
Information Systems	Ratliff		
Jobs and Economic Development	Ratliff		
Legislation, Codes & Regulations	Daniels		
Municipal Services, Parks & Recreation	Swanger		
Public Utilities	Thomas		
Regional Planning	Swanger		
Streets and Sewers	Thomas		
Zoning and Annexation	Meade		

COUNCIL COMMITTEES (2020/2021)

<u>Finance</u> Josh Daniels, chair Jason Schaber Kai Meade	<u>Jobs & Economic Development</u> Ayers Ratliff, chair Mike Neff Kai Meade	<u>Public Utilities</u> Mike Thomas, chair Leslie Cunningham Kathy Swanger
<u>Airport, Lands & Buildings</u> Jason Schaber, chair Kathy Swanger Kai Meade	<u>Legislation, Codes & Regulations</u> Josh Daniels, chair Jason Schaber Mike Thomas	<u>Regional Planning</u> Kathy Swanger, chair Mike Neff Ayers Ratliff
<u>Information Systems</u> Ayers Ratliff, chair Joshua Feliciano Mike Thomas	<u>Municipal Services, Parks & Recreation</u> Kathy Swanger, chair Jason Schaber Josh Daniels	<u>Streets & Sewers</u> Mike Thomas, chair Joshua Feliciano Josh Daniels
		<u>Zoning & Annexation</u> Kai Meade, chair Leslie Cunningham Kathy Swanger

COUNCIL MEMBERS (2020/2021 TERM)

Office Holder	Contact Information
President Todd Schneider	920 Cambridge Marion, OH 43302 740-360-9644 CouncilPresident@marionohio.org
At-Large Mike Thomas	341 Pennsylvania Ave Marion, OH 43302 740-387-8141 AtLarge3@marionohio.org
At-Large Josh Daniels	1093 Edison Ave. Marion, OH 43302 740-361-5271 AtLarge2@marionohio.org
At-Large Michael Neff	851 E. Center St. Marion, OH 43302 740-751-2058 AtLarge1@marionohio.org
1 st Ward Kai Meade	1207 Bahama Dr. Marion, OH 43302 740-751-3900 Ward1@marionohio.org
2 nd Ward President Pro Tempore Ayers Ratliff	411 Oak St. Marion, OH 43302 740-802-0277 Ward2@marionohio.org
3 rd Ward Jason Schaber	359 Rosewood Dr. Marion, OH 43302 740-225-0250 Ward3@marionohio.org
4 th Ward Joshua Feliciano	495 Olney Ave. Marion, OH 43302 740-692-3626 Ward4@marionohio.org
5 th Ward Leslie Cunningham	248 Cummins Ave. Marion, OH 43302 740-225-9068 Ward5@marionohio.org
6 th Ward Kathy Swanger	1082 Wilshire Dr. Marion, OH 43302 740-360-9429 Ward6@marionohio.org
Clerk of Council Tarina R. Rose	233 W. Center St. Marion, OH 43302 740-387-4935 CouncilClerk@marionohio.org
Clerk Pro Tempore Linda Strzelecki, Clerk Pro Tempore	233 W. Center St. Marion, OH 43302 740-387-5865 Linda.S@marionohio.org

Resolution No. 2020-13

Passed _____, 20__

RESOLUTION OF THE COUNCIL FOR THE CITY OF MARION RECOGNIZING THE NATIONAL, STATE AND LOCAL EMERGENCY DECLARATIONS AND THE REAL AND PRESENT NEED TO MODIFY EXISTING RULES IN ORDER TO CONTINUE TO PROVIDE ALL NECESSARY AND VITAL MUNICIPAL SERVICES TO THE PEOPLE OF THE CITY OF MARION, OHIO DOES FIND IT NECESSARY TO ESTABLISH THE CHANGES CONTAINED HEREIN, AND DECLARING AN EMERGENCY

WHEREAS, , the Mayor of the City of Marion, Ohio has declared a Civil Emergency, the Governor of the State of Ohio has declared an Emergency and the President of the United States has declared an Emergency.

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

SECTION 1. Finding a real and present Emergency exists, the Council desires that Committee meetings be suspended until further action, therefore Committee Chairpersons shall not call Committee meetings until the end of the current declared Emergencies.

Provided for informational purposes: *Rule 15. Committee meetings.* ...Each committee shall hold its meetings at such time and place as fixed by the chairman of the respective committees, and each committee or chairman thereof shall have the right to require the attendance at its meetings of such administrative officers as in its judgment are needed to properly dispose of the matter under consideration....

SECTION 2. In order to facilitate efficient processes during this time of Local, State and National Emergencies, the Council hereby suspends Rule 56 until the end of the Local, State and National Emergencies or by further action taken by Council.

~~Rule 56. *Committee consideration.* No ordinance or resolution shall be acted upon without prior consideration and a report from a proper committee or committees of Council, except Mayoral appointments may be taken directly to Council without prior reference to Committee, unless this requirement shall be suspended by a majority vote of all members elected to Council. The vote on each suspension shall be taken by yeas and nays and entered on the record. (Res. 1968 42, passed 10-28-68; Am. Res. 1968 55, passed 12-9-68)~~ **SUSPENDED**

~~Rule 51. *Placing on the agenda.* All ordinances or resolutions shall be placed on the agenda by the Clerk of Council when ordered by the Mayor, or three members of Council, or a committee of Council, or Council, and no ordinance or resolution shall be placed on the agenda by the Clerk of Council unless ordered by the Mayor, or three members of Council, or a committee of Council, or Council. Any items placed on the agenda which do not comply with Rule 56, shall not be acted upon by Council unless Rule 56 is suspended by a majority vote of all members elected to Council.~~ **SUSPENDED**

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof, given the immediate need presented given the Local, State and National Emergency Declarations associated with COVID - 19; and as such shall take effect and be in force immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council;

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2020-13

Passed _____, 20____

otherwise, it shall become effective from and after the earliest period allowed by law.

Todd Schneider
President of Council

APPROVED:

Mayor Scott Schertzer

Tarina R. Rose
Clerk of Council

Ordinance No. 2020-18

Passed

ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO AGREEMENT WITH THE SELECTED ENGINEER(S) FIRM FOR AIRPORT ENGINEERING SERVICES AS A RESULT OF THE FAA GRADING AND SELECTION PROCESS ADVERTISED BY "STATEMENT OF QUALIFICATION" AND DECLARING AN EMERGENCY.

WHEREAS, Marion City Council, in anticipation of receipt of FAA grant funds in the coming 3 - 5 years, is required by such grants, from time to time, to request statements of qualification and select an Airport Engineer for grant future projects, and

WHEREAS, funds payable for services provided by the selected engineer(s) are made available by future, anticipated FAA matching grants, with the prior approval and acceptance of grant funds by Marion City Council.

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

Section 1. City Council authorizes Service Director to enter into agreement with the Airport Engineer(s) Firm selected as a result of the FAA recommended grading process.

Section 2. The Statement of Qualifications pertains to future anticipated grants by the FAA in the coming 3 - 5 years. Rehabilitate Design of Runways, Lighting, and Rehabilitate Terminal Circular Drive.

Section 3. This Engineering agreement does not encumber matching funds of the City of Marion without the awarding of said grants, acceptance and approval by the City Council of Marion.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5. In compliance with the FAA, said contract is required to have the selected Engineering agreement in place prior to April 1, 2020.

Section 6. That this ordinance is hereby declared to be an emergency order This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to timely retire the Outstanding Note and thereby preserve its credit; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Todd Schneider

President of Council

Approved:

Mayor Scott Schertzer

Tarina R. Rose

Clerk of Council

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

Ordinance No. 2020-19

Passed _____, _____

ORDINANCE AUTHORIZING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH MATHEWS FORD MARION, INC. FOR THE PURCHASE OF TWO (2) VEHICLES FOR THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Council considered the Safety Directors request to adopt an Ordinance authorizing the purchase of two police cruisers ,

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

Section 1. The Council hereby authorizes the Safety Director to enter into a purchase contract and complete the purchase transaction for the purchase of two (2) police vehicles, to wit: 1 -2020 Ford Police Interceptor Utility AWD and 1 – 2020 Ford Police F-150 Crew Cab 4x4 with the most responsive bidder Mathews Ford Marion, Inc. at a vehicle purchase contract price of: \$ 68,595.00 and the extra necessary equipment with the total sum not to exceed \$ 35,000.00 all payable from the Capital Equipment Fund.

Section 2. That this ordinance is hereby declared an emergency measure necessary for the immediate preservation of health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason it is necessary for the daily operation of said City, given the deadline associated with order date of April 2, 2020 and the manufacture of the subject vehicles and the pricing expirations related thereto; and shall take effect and be in force immediately upon it's passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.

Todd Schneider
President of Council

Approved:

Mayor Scott Schertzer

Tarina R. Rose
Clerk of Council

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

Ordinance No. 2020-20

Passed _____,

ORDINANCE TO ESTABLISH A PARTNERSHIP AGREEMENT FOR CHIP PROJECTS BETWEEN THE COUNTY OF MARION AND THE CITY OF MARION AND DECLARING AN EMERGENCY.

WHEREAS; WHEREAS; the City of Marion desires to jointly apply with Marion County for a CHIP Housing Grant from the Ohio Development Services Agency Office of Community Development which would use Community Development Block Grant, HOME Investment Partnership Funds and Ohio Housing Trust Funds, and

WHEREAS; to maintain adequate program oversight of the CHIP Program the Ohio Office of Community Developments (OCD) requires local communities applying jointly for CHIP funds to adhere to terms listed in a Partnership Administration Agreement, and

WHEREAS, said agreement will be effective for the period of the grant only if funded,

BE IT ORDAINED by the Council of the City of Marion, Marion County, Ohio: the City of Marion agrees to enter into agreement with the County of Marion for the administration of CHIP Housing Grant activities.

Section 1 That the Mayor is hereby authorized to sign the agreement with Marion County and any and all other documents necessary in connection with said agreement

Section 2 This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the grant application must be filed immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council; it shall become effective from and after the earliest period allowed by law.

Todd Schneider
President of Council

APPROVED:

Mayor Scott Schertzer

ATTEST:

Tarina R. Rose
Clerk of Council

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

Ordinance No. 2020-21

Passed _____

ORDINANCE ADMENDING THE YARGER REPORT TO INCLUDE PARK SEASONAL LABORER AND ESTABLISH THEIR PAY GRADE AND DELCLARING AN EMERGENCY

WHEREAS, The positions of Park Seasonal Laborer need to be amended in the Yarger Report.

WHEREAS, The Board of Parks Commissioners has voted and requested the City to update the above positions and pay grades.

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

Section 1. That the positions Parks Seasonal Laborer be amended in the Yarger Report (as attached)

Section 2. That the pay grades of the positions be established as follows:

- Parks Seasonal Laborer 1st year ----- \$12.00/hr.
- Parks Seasonal Laborer 2nd year ----- \$13.00/hr.
- Parks Seasonal Laborer 3rd year ----- \$13.75/hr.
- Parks Seasonal Laborer 4 or more years -- \$14.00/hr.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof, and as such, shall take effect and be in force immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council; otherwise it shall become effective from and after the earliest period allowed by law.

Todd Schneider
President of Council

APPROVED:

Mayor Scott Schertzer

ATTEST:

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____ Passed _____, _____

Tarina R. Rose
Clerk of Council

Ordinance No. 2020-22

Passed _____, _____

ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO ENTER INTO CONTRACT WITH BURGESS AND NIPLE FOR THE ENGINEERING AND DESIGN OF THE S. GRAND AVENUE SEWER IMPROVEMENTS, PROJECT 20-2S FOR THE CITY OF MARION, OHIO, APPROPRIATING NECESSARY FUNDS, AND DECLARING AN EMERGENCY

WHEREAS, Resolution No. 2019-19 authorized the Mayor to conduct an RFP process for the S. Grand Avenue Sewer Improvement Project 20-2S for the City of Marion, Ohio and

WHEREAS, A Request for Proposal process was conducted with proposals due on December 20, 2019 and 6 firms responded. After a review of all proposals, Burgess and Niple was selected and a design fee of \$98,000.00 was negotiated.

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

Section 1: That the Director of Public Works be directed to enter into contract with Burgess and Niple for the total amount of \$98,000.00 for the S. Grand Avenue Sewer Improvement Project 20-2S.

Section 2: That the cost of such contract shall be payable from the Sanitary Sewer and Storm Sewer Improvement Funds, and Auditor is authorized and directed to appropriate the necessary funds.

Section 3: That this ordinance is hereby declared an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof; and since S. Grand Avenue is in dire need of repair; and as such, shall take effect and be in force immediately upon its passage and approval by the mayor, provided that it receives the affirmative vote of two-thirds of all members elected to Council: otherwise it shall become effective from and after the earliest period allowed by law.

Todd Schneider
President of Council

Approved:

Mayor Scott Schertzer

Attest:

Tarina R. Rose
Clerk of Council

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

Ordinance No. 2020-23

Passed _____

ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR 2020 STREET RESURFACING PROJECT 20-1R, IN THE CITY OF MARION, OHIO

WHEREAS, that the Director of Public Works needs to implement the 2020 annual Resurfacing Program.

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

Section 1. That the Director of Public Works is hereby authorized and directed to prepare plans and specifications, and advertise for bids for 2020 Street Resurfacing Project 20-1R.

Section 2. That said contract shall be payable from the SCM&R Fund.

Section 3. That this ordinance is hereby declared an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof; and since the streets included with this project are in dire need of repair; and as such, shall take effect and be in force immediately upon its passage and approval by the mayor, provided that it receives the affirmative vote of two-thirds of all members elected to Council; otherwise it shall become effective from and after the earliest period allowed by law.

Todd Schneider
President of Council

Approved:

Mayor Scott Schertzer

Attest:

Tarina R. Rose
Clerk of Council

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

Ordinance No. 2020-24

Passed _____, _____

ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY DIRECTOR TO ENTER INTO CONTRACT WITH QUALITY MASONRY CO. INC. FOR THE FIRE STATION #1 REPAIR PROECT AND DECLARING AN EMERGENCY.

WHEREAS, after advertising for sealed bids, for base bid plus numerous alternates, bids were received from two contractors and,

WHEREAS, QUALITY MASONRY CO. INC bid was lowest and best for the base bid of \$309,050.00 and was the low bidder on 8 of the 10 alternates.

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

Section 1. That the Director of Public Safety be directed to enter into contract with QUALITY MASONRY CO. INC for the total contract price \$309,050.00 for base bid and to allocate up to \$72,000 the highest priority alternates available within budget.

Section 2. That of the Fire Station #1 Repair shall be payable from the City of Marion's CDBG FY 2018 Critical Infrastructure Grant on a 90% grant and 10% local match.

Section 3. That it is desirable to repair the fire station as soon as practical to minimize the disruption to the operation of the fire fighters and critical services and

Section 4. That this ordinance is hereby declared an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof: and as such, shall take effect and be in force immediately upon its passage and approval by the mayor, provided that it receives the affirmative vote of two-thirds of all members elected to Council: otherwise it shall become effective from and after the earliest period allowed by law.

Todd Schneider
President of Council

APPROVED:

Mayor Scott Schertzer

ATTEST:

Tarina R. Rose
Clerk of Council

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

RECORD OF RESOLUTIONS

0467

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2020-14 Passed _____, 20____

RESOLUTION AUTHORIZING THE AUDITOR TO TRANSFER APPROPRIATED GENERAL FUND MONIES TO PARKS, TRANSIT, POLICE, FIRE AND DISPATCH AND ANY OTHER FUNDS APPROVED BY COUNCIL FOR THE YEAR ENDING DECEMBER 31, 2020,

WHEREAS, the appropriations have been made from the general fund to Parks, Transit, Police, Fire and Dispatch for 2020

WHEREAS, the Auditor is requesting those funds be moved from the General to the appropriate funds for expenditure.

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

Section 1. The Auditor is hereby authorized to move the funds from general to the appropriated funds

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

Todd Schneider
President of Council

APPROVED:

Mayor Scott Schertzer

ATTEST:

Tarina R. Rose
Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____ Passed _____, 20____

RECORD OF RESOLUTIONS

0469

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2020-15 Passed _____, 20____

RESOLUTION BY COUNCIL, GIVEN THE CURRENT NATIONAL AND STATE EMERGENCIES, APPROVING IN PLACE OF THE FINANCE COMMITTEE THE FOLLOWING BUDGET MONIES TO BE TRANSFERRED WITHIN A DEPARTMENT

WHEREAS, given the National and State Declarations of Emergency, the Finance Committee has not been called upon to meet on the request below, and

WHEREAS, the Auditor’s Office has requested certain monies be transferred within the Office’s budgeted funds to address a former employee having filed for unemployment benefits

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

Section 1. The Auditor is hereby authorized to transfer the funds identified below from the salaries line item to the unemployment benefits line item from already budgeted funds to cover current expenses and several future payments if necessary:

\$1,632.00 from 101.1011.5101.01 Salaries to 101.1011.5102.07 Unemployment benefits

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

President of Council

Todd Schneider

APPROVED:

Mayor Scott Schertzer

ATTEST:

Tarina R. Rose
Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____

Passed _____, 20____

RECORD OF RESOLUTIONS

0471

Dayton Legal Blank, Inc., Form No. 30045

Resolution No.

2020-16

Passed

20

RESOLUTION AUTHORIZING THE ADVANCE OF FUNDS TO THE AIRPORT IMPROVEMENT FUND (408) TO COVER THE EXPENSE OF CONSTRUCTION OF THE NEW TERMINAL.

WHEREAS, the appropriations have been made to the Airport Improvement Fund by City Council

WHEREAS, part of the cost for construction of the terminal is reimbursed by a grant from the FFA after payment has been made by the City.

WHEREAS, the fund's cash balance has dropped to a point where payments for construction invoices can no longer be made.

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

Section 1. Authorizes the advance of \$300,000.00 to the Airport Improvement Fund from the General Fund

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

Todd Schneider
President of Council

APPROVED:

Mayor Scott Schertzer

ATTEST:

Tarina R. Rose
Clerk of Council

RECORD OF RESOLUTIONS

Dayton Lejal Blank, Inc., Form No. 30045

Resolution No. _____

Passed _____, 20____

RECORD OF RESOLUTIONS

0473

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2020-17

Passed _____

20____

RESOLUTION AUTHORIZING THE PAYMENT OF PASS THROUGH MONIES FROM THE GENERAL FUND, APPROPRIATING SAID MONIES INTO FUND 215 (STATE HIGHWAY) FOR THE PAYMENT OF SERVICES PROVIDED ON THE SR 739 (BELLEFONTAINE AVE) CULVERT

WHEREAS, the city of Marion has entered into an agreement with the State of Ohio for the replacement of the culvert on Bellefontaine Ave (SR 739),

WHEREAS, the agreement was the State of Ohio would pay the consulting engineer directly,

WHEREAS, the State of Ohio, rather than paying the consultant directly instead sent two payments to the City of Marion which were intended to pay the consultant.

WHEREAS, The State of Ohio has advised, they prefer the City of Marion, Ohio pay the consultant directly

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

Section 1. The Council authorizes the appropriation of \$17,211.41, of monies deposited into the General Fund, to enable the City to pay for services provided under contract (SR 739 Culvert replacement project) at the direction of the State of Ohio directly to the consultant, said appropriation being made to: Fund 215.2007.5402 Professional Services

Section 2. The Marion City Engineer's Department is authorized to pay the consultant directly.

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

Todd Schneider
President of Council

APPROVED:

Mayor Scott Schertzer

ATTEST:

Tarina R. Rose
Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____ Passed _____, 20____

RECORD OF RESOLUTIONS

0475

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2020-18 Passed 20

RESOLUTION BY COUNCIL, GIVEN THE CURRENT NATIONAL AND STATE EMERGENCIES, APPROVING IN PLACE OF THE FINANCE COMMITTEE THE FOLLOWING BUDGET MONIES TO BE TRANSFERRED WITHIN A DEPARTMENT

WHEREAS, given the National and State Declarations of Emergency, the Finance Committee has not been called upon to meet on the request below, and

WHEREAS, the Streets Department has accepted banner permits to place banners for events that have now been cancelled due to the ordered state of emergency.

WHEREAS, the cost of the permit now needs to be refunded to the permit holder but funds were not appropriated in the refund line item

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

Section 1. The Auditor is hereby authorized to transfer the funds identified below from the Service Contracts line item to the Refund line item from already budgeted funds to cover current expenses:

\$200.00 from 202.2006.5403 Service Contracts to 202.2006.5418 Refunds & Reimbursements

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

President of Council

Todd Schneider

APPROVED:

Mayor Scott Schertzer

ATTEST:

Tarina R. Rose
Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____

Passed _____, 20____

Resolution No. 2020-19 Passed _____, 20__

RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2020, AND DECLARING AN EMERGENCY

WHEREAS, the City of Marion, Marion, Ohio (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon of award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the winter road salt contract; and
- d. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically submitted salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 24th by 12:00 pm. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision’s participation agreement and/or a Political Subdivision’s request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT winter salt contract.

Section 1. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that the deadline for ODOT is April 24, 2020, and as such shall take effect and be in force immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council; it shall become effective from and after the earliest period allowed by law.

Approved: _____
Todd Schneider
President of Council

Mayor Scott Schertzer

Attest:

Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____

Passed _____, 20____