

**Minutes of MARION CITY COUNCIL Meeting**  
**Held City Hall Council Chambers at 7:30 p.m. on January 4, 2000**

**ROLL CALL** – Nine Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

**PRAYER** – The Lord's Prayer led by President Kochheiser.

**PLEDGE OF ALLEGIANCE** – President Kochheiser led the pledge to the United States Flag.

**SUMMARY OF COUNCIL PROCEEDINGS** - Waived by President Kochheiser.

Old Business

**ORDINANCE NO. 1999-157**

**ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF MARION TO EXECUTE A CONSENT TO THE SUBLEASING BY MARION GENERAL HOSPITAL, INC. OF CERTAIN PROPERTY, 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 with no recommendation. Motion to Adopt was made by Mr. Thomas and seconded by Mr. Schertzer. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS – Mrs. Davis.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 1999-159**

**ORDINANCE TO VACATE A CERTAIN 15 FOOT WIDE EAST-WEST ALLEY NORTH OF 202 NORTH GRAND AVENUE IN THE CITY OF MARION.**

The legislation's title received its second reading. Mr. Cumston asked to have the property owner contacted to be present at the next meeting to answer any questions regarding the alley vacation.

**ORDINANCE NO. 1999-164**

**ORDINANCE AMENDING MARION CODIFIED ORDINANCE CHAPTER 1360, DANGEROUS BUILDINGS.**

The legislation's title received its second reading. There was a 3-0 vote from the Legislation, Codes and Regulations Committee to place on the agenda. Mr. Russell, Law Director, stated that the questions and concerns of Mr. Josh Daniels from the December 27, 1999 meeting, have been addressed.

A Motion for Suspension of Council Rules was made by Dr. Arndt and seconded by Mrs. Davis. The roll call vote was: YEAS – Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis. NAYS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mr. Schertzer.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE MOTION TO SUSPEND THE RULES OF COUNCIL FAILED.

A Motion to refer said Ordinance back to committee was made by Mr. Cumston and seconded by Mr. Thomas. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE MATTER REFERRED BACK TO COMMITTEE.

**ORDINANCE NO. 1999-165**

**ORDINANCE AUTHORIZING THE MARION CITY/COUNTY BUILDING DEPARTMENT TO GENERATE REFUNDS TO PROPERTY OWNERS IN THE CITY OF MARION WHO PAID FOR ROOF PERMITS, CERTAIN ALTERATION PERMITS, HOME REWIRING PERMITS, DECKS PERMITS (UNDER 30" HIGH), AND PORCH PERMITS AS REQUIRED PRIOR TO THE PASSAGE OF CITY ORDINANCE 1999-151 PASSED NOVEMBER 22, 1999.**

The legislation's title received its second reading. There was a 2-1 vote from the Legislation, Codes and Regulations Committee to place on the agenda.

**ORDINANCE AMENDING VARIOUS SECTIONS OF THE MARION CITY CODE, TO WIT: 351.01, 351.03 AND 351.04 REVISING AND MODIFYING SAID SECTIONS OF LAW, INCLUDING THE PENALTIES RELATING THERETO.**

The legislation's title received its second reading. There was a 3-0 vote from the Legislation, Codes and Regulations Committee to place on the agenda. A Motion for Suspension of Council Rules was made by Dr. Arndt and seconded by Mr. Thomas. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Dr. Arndt and seconded by Mr. Schertzer. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

New Business

**RESOLUTION NO. 2000-1**

**RESOLUTION ELECTING A CLERK OF COUNCIL FOR THE YEARS 2000 & 2001, AND DECLARING AN EMERGENCY.**

The roll call vote was - Mr. Cumston – Cathy Chaffin; Mrs. Davis called for discussion regarding a potential conflict of Mr. Cumston to elect Cathy Chaffin as Clerk of Council stating that it would be a conflict for Mr. Cumston to vote for his sister. Mr. Russell, Law Director gave an opinion that there was no conflict as there is no direct financial relationship and that Mr. Cumston was receiving no financial benefit. Mrs. Davis further expressed her objection to Mr. Cumston voting and provided the example that she could not vote on a piece of legislation that involved her sister. Mr. Russell again stated that according to the Ohio Revised Code there is no conflict and that the chair would need to rule on Mrs. Davis' objection.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED NO CONFLICT.

The roll call vote was – Mr. Cumston – Cathy Chaffin; Mr. Hatch – Cathy Chaffin; Mr. Thomas – Cathy Chaffin, Mrs. Blevins – Cathy Chaffin; Mrs. Peters – No Person; Dr. Arndt – No Person; Mrs. Pinnick – Cathy Chaffin; Mrs. Davis – No Person; Mr. Schertzer – Cathy Chaffin.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED CATHY CHAFFIN IS ELECTED CLERK OF COUNCIL.

**RESOLUTION NO. 2000-2**

**RESOLUTION ELECTING A CLERK PRO TEMPORE OF COUNCIL FOR THE YEARS 2000 & 2001 AND DECLARING AN EMERGENCY.**

The roll call vote was - Mr. Cumston – Lenora Mayes; Mr. Hatch – Lenora Mayes; Mr. Thomas – Lenora Mayes, Mrs. Blevins – Lenora Mayes; Mrs. Peters – No Person; Dr. Arndt – Lenora Mayes; Mrs. Pinnick – Lenora Mayes; Mrs. Davis – Lenora Mayes; Mr. Schertzer – Lenora Mayes.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED LENORA MAYES IS ELECTED CLERK OF COUNCIL PRO TEMPORE.

**RESOLUTION NO. 2000-3**

**RESOLUTION ELECTING A PRESIDENT PRO TEMPORE OF COUNCIL FOR THE YEARS 2000 & 2001 AND DECLARING AN EMERGENCY.**

The roll call vote was - Mr. Cumston – Mr. Thomas; Mr. Hatch – Mr. Thomas; Mr. Thomas – Mr. Thomas, Mrs. Blevins – Mr. Thomas; Mrs. Peters – Dr. Arndt; Dr. Arndt – Mr. Thomas; Mrs. Pinnick – Mr. Thomas; Mrs. Davis – Dr. Arndt; Mr. Schertzer – Mr. Thomas.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED MR. MICHAEL THOMAS IS ELECTED PRESIDENT PRO TEMPORE.

**RESOLUTION NO. 2000-4**

**RESOLUTION ESTABLISHING THE SMART PROGRAM FUND AND DECLARING AN EMERGENCY.**

There was a 3-0 vote from the Finance Committee to place on the agenda. The legislation's title received its first reading. A Motion to add the legislation to the Agenda made by Mrs. Davis, seconded by Mr. Schertzer and Third by Mr. Cumston.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ITEM ADDED TO THE AGENDA.

This legislation A Motion for Suspension of Council Rules was made by Mrs. Davis and seconded by Mr. Thomas. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mrs. Davis and seconded by Mr. Cumston. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**ORDINANCE NO. 2000-1**

**ORDINANCE TO MAE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MARION, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2000.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. A Motion for Suspension of Council Rules was made by Mrs. Davis and seconded by Mr. Schertzer. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mrs. Davis and seconded by Mr. Schertzer. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-2**

**ORDINANCE RE-ESTABLISHING THE POSITION OF THE CLERK FOR THE COUNCIL OF THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.**

This Legislation was moved in order of succession pursuant to Council Rules. A Motion add the legislations to the Agenda made by Mr. Thomas, seconded by Mr. Cumston and Third by Mr. Schertzer.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ITEM ADDED TO THE AGENDA.

A Motion for Suspension of Council Rules was made by Mr. Thomas and seconded by Mr. Cumston. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS – Mrs. Davis.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Thomas and seconded by Mr. Schertzer. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS – Mrs. Davis.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

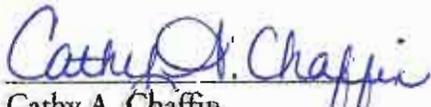
Matters not on the Agenda – Mr. Thomas gave the Committee Assignments.

Correspondence - None.

Committee Dates –

- Traffic Commission – Tuesday, January 18, 2000 @ 6:00 p.m. – Community Room.
- Legislation, Codes, Regulation – Tuesday, January 18, 2000 @ 7:00 p.m. – Community Room.
- Finance – Tuesday, January 18, 2000 @6:30 p.m. – Community Room.

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

  
Cathy A. Chaffin  
CLERK OF COUNCIL

  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

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**Minutes of MARION CITY COUNCIL Meeting**  
**Held City Hall Council Chambers at 7:30 p.m. on January 24, 2000**

**ROLL CALL** – Nine Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

**PRAYER** – The Lord's Prayer led by President Kochheiser.

**PLEDGE OF ALLEGIANCE** – President Kochheiser led the pledge to the United States Flag.

**SUMMARY OF COUNCIL PROCEEDINGS** - Mr. Cumston Moved to Accept the Summary of Council Proceedings for December 27, 1999 and January 4, 2000, Mr. Hatch seconded. By a verbal vote all members voted in approval.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR DECEMBER 27, 1999 AND JANUARY 4, 2000 APPROVED.

Old Business

ORDINANCE NO. 1999-153

**COMMUNICATION FROM MAYOR KELLOGG TO COUNCIL REGARDING HIS VETO OF THE FOLLOWING ORDINANCE – ORDINANCE NO. 1999-153. ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AMENDED AND RESTATED LEASE WITH MARION GENERAL HOSPITAL, INC. INCLUDING THOSE MODIFICATIONS AS CONTAINED IN THE NOVEMBER 2, 1999 FINAL REVISED VERSION.**

MAYOR KELLOGG: "Yes, before you, you have a copy of my release and I feel that 1999-153 is not a suitable lease agreement for the people of the City of Marion, Marion County and that's the reasons I vetoed it and, uh, I as for your support on this issue and, uh, and if you got any questions I would be more than happy to answer."

President Kochheiser asked if there were any questions from council.

Mr. Cumston: "Mr. Mayor, you had said you had been speaking with the hospital and other various parties and, uh, have you come to any conclusions over the past several weeks?"

Mayor Kellogg: "We are closer but I cannot tell you if its going to take one more meeting or, a week or two weeks. I won't guarantee a time because we are not, I am not in a position today to say we have got an agreement." "I don't think anybody else will say we have got an agreement. I will continue to work on it if that's what council wants me to do. I would be very happy to and all are getting closer but were not there yet."

Dr. Arndt requested that Marion General Hospital respond to what the Mayor stated.

Mr. Frank Swinehart spoke and advised that there had been two negotiating sessions in which local control was an issue and that it remains unsolved. Mr. Swinehart further advised that are no future meetings scheduled at this time.

Mr. Hatch questioned the Mayor on the possible arbitration clause on local control. The Mayor responded and advised he had not made any progress. "We have not agreed on that point."

Mr. Swinehart responded and advised that during these negotiations, we did agree to place a statement into the lease an arbitration clause.

Mrs. Davis inquired of Mr. Swinehart on the selection of board members and the current selection process. Mr. Swinehart advised that they are currently following the Codes and Regulations of Marion General Hospital Inc., but if the new lease was signed it would be followed.

Dr. James Tulloss, an Orthopedic Surgeon in Marion, Ohio spoke for the group of doctors known as MIPA. Dr. Tulloss read a statement in the record and urged council to not override the Veto. He strongly spoke of the quality of care received at Marion General Hospital. He did speak in favor of Ohio Health with respect to Riverside Hospital and the care given.

Dr. David Miller of 101 Vernon Heights Blvd., Marion, Ohio. Also read a prepared statement speaking of the reasons he came to Marion to practice medicine. He spoke of the economics of a

private physician. Dr. Miller also encouraged council to not override the veto. Dr. Miller also spoke of the unfilled nursing positions and the high rate of turnover.

Mrs. Davis moved to open this matter for discussion. Dr. Arndt seconded and requested that there be a time limit for discussion. By a verbal vote, all members voted in approval.

Dr. Tim Garner, former Chief of Staff of Marion General Hospital and local Physician advised council of his reasons for locating to Marion. Dr. Garner also spoke of the patient to nurses ratio and quality of care given at Marion General Hospital. Dr. Garner further asked for accountability for these issues. Dr. Garner also advised that the profit making operations of Marion General Hospital were being taken to the newly merged Medcenter Hospital.

Dr. Jim Herring local physician, advised council that he is not a member of the Hospital nor is he a member of the MIPA however, that he is a former board member of Marion General when the affiliation of Marion General and Ohio Health took place. He advised that the intent at that time was to not loose local control but that happened and there is no local control now. He further advised that the merger of the two hospitals was good but he supports the Mayors Veto and urged council to not override unless there are changes in local control.

Mr. Ralph Hill of Marion, Ohio, thanked the Mayor for the Veto and questioned who owned Medcenter Hospital.

Mrs. Davis responded and advised that she had checked and she does not have an answer. She could not find out who the owners are.

Mr. Charles Martin of Marion, Ohio, spoke regarding three letters that he has possession of that were written in 1986, one from Attorney Pandora who was then the attorney for US Health now Ohio Health. Mr. Martin read the letters to the members highlighting portions thereof. He further stated his objections to the lease agreement and urged council to not override the veto.

Ms. Robyn Sinden of Marion Ohio and employee of Dr. Samy, spoke of a recent problem with Marion General Hospital and the canceling of surgeries. She also spoke of the unhappy nurses and patient safety and care.

Mrs. Jill Gilsdorf questioned Dr. Arndt on the changes to the lease agreement and asked instead of changing or amending before council it would be better to wait. Dr. Arndt referred the question to Mr. Russell, City Law Director. Mr. Russell advised that the lease did not change it was clarifications that were made.

Mr. Steve Ludwig, 807 South Prospect Street, Marion, Ohio. Spoke to thank the Mayor and the Doctors for standing up and urged council to support the Mayors Veto.

Mr. Swinehart advised that Marion General Hospital Inc., owns Marion General, 1/3 share of Medcenter Hospital and all of the assets in Medcenter Hospital and Marion General Hospital. Ohio Health owns none of either places. Mr. Swinehart further spoke of prior questions regarding a conflict of interest of a board member and that the member in question must remove themselves from the discussion and vote.

State Senator Larry Mumper urged council to not override the veto and spoke of the selection of board members to the Board of Marion General Hospital.

Dr. Tom Wagner, Board Member of Marion General Hospital, spoke in favor of the lease agreement and stated that there are many items gained by the residents under the new lease which are not in the current lease. He urged council to override the veto.

Mr. Thomas spoke and advised the audience and members of council that all issues brought forth this evening were already discussed and debated and further advised that council has ten days to bring forth an agreeable lease or not.

Mr. Thomas moved for a five minute recess and Dr. Arndt seconded. By a verbal vote all members voted in approval.

AFTER THE RECESS. Council Reconvenes.

President Kochheiser acknowledged the Mayors Veto reading into the record and that council has ten days to respond.

**ORDINANCE NO. 1999-159**

**ORDINANCE TO VACATE A CERTAIN 15 FOOT WIDE EAST-WEST ALLEY NORTH OF 202 NORTH GRAND AVENUE IN THE CITY OF MARION.**

The legislation's title received its third reading. Mr. Cumston asked the results of the surveys from last council meeting. Mr. Osborn advised that he was unaware of any surveys, but other than the four phone calls he spoke of he has had no activity with respect to this ordinance.

Mr. Tim Lackey was present and spoke on behalf of the property owner, Charles Russell. Mr. Lackey advised counsel the reason for the application was due to the through traffic at high rate of speeds coming through the alleyway.

Dr. Arndt spoke in opposition to closing the alleyway and to place a barricade to stop the traffic problems in the alley. Mr. Russell advised that the application would need to be changed to vacate only a portion of the alley or to place barricades in the alley. Mr. Russell further advised that counsel could waive the application fee.

A Motion to Adopt was made by Dr. Arndt and seconded by Mr. Cumston. The roll call vote was: YEAS - None. NAYS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE DEFEATED.

**ORDINANCE NO. 1999-165**

**ORDINANCE AUTHORIZING THE MARION CITY/COUNTY BUILDING DEPARTMENT TO GENERATE REFUNDS TO PROPERTY OWNERS IN THE CITY OF MARION WHO PAID FOR ROOF PERMITS, CERTAIN ALTERATION PERMITS, HOME REWIRING PERMITS, DECKS PERMITS (UNDER 30" HIGH), AND PORCH PERMITS AS REQUIRED PRIOR TO THE PASSAGE OF CITY ORDINANCE 1999-151 PASSED NOVEMBER 22, 1999.**

The legislation's title received its third reading. There was a 2-1 vote from the Legislation, Codes and Regulations Committee to place on the agenda. A Motion to Adopt was made by Mr. Schertzer and seconded by Mr. Cumston. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS - Mrs. Davis.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

*New Business*

**RESOLUTION NO. 2000-5**

**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 2-0 vote from the Finance Committee to place on the agenda and a 3-0 vote from Streets and Sewers Committee to place on the agenda. Mr. Thomas advised that this legislation was to finish the project at Marion Williamsport Road, Marion. A Motion for Suspension of Council Rules was made by Mr. Thomas and seconded by Mr. Hatch. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Thomas and seconded by Mr. Schertzer. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**RESOLUTION NO. 2000-6**

**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.**

There was a 2-0 vote from the Finance Committee to place on the agenda and a 3-0 vote from Streets and Sewers Committee to place on the agenda. The legislation's title received its first reading. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by

Mr. Hatch. The roll call vote was: YEAS -- Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS -- None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS -- Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS -- None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-7**

**RESOLUTION RECOMMENDING THAT THE MARION COUNTY BOARD OF COMMISSIONERS ENTER INTO AN AGREEMENT WITH DRYERS CORPORATION FOR THE PURPOSE OF ABATEMENT OF A PORTION OF TANGIBLE PERSONAL PROPERTY TAX ON EQUIPMENT AND INVENTORY AT A MANUFACTURING FACILITY AT 333 JOSEPH STREET, MARION, OHIO, TO ENCOURAGE THEM TO EXPAND THEIR DRYERS CORPORATION AT THAT SITE, AND DECLARING AN EMERGENCY.**

There was a 3-0 vote from the Jobs & Economic Development Committee to place on the agenda. A Motion to add the legislation to the Agenda made by Mr. Schertzer, seconded by Mr. Hatch and Third by Mrs. Peters.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ITEM ADDED TO THE AGENDA.

This legislation's title received its first reading. Mr. Schertzer spoke of the number of jobs Drypers Corporation would be bringing to the community. A Motion for Suspension of Council Rules was made by Mr. Schertzer and seconded by Mrs. Peters. The roll call vote was: YEAS -- Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS -- None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Schertzer and seconded by Mrs. Davis. The roll call vote was: YEAS -- Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS -- None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**ORDINANCE NO. 2000-3**

**ORDINANCE MAKING ADDITIONAL APPROPRIATION IN THE GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Cumston advised that this appropriation Ordinance is to clear up last years grants as needed. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Dr. Arndt. The roll call vote was: YEAS -- Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS -- None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Thomas. The roll call vote was: YEAS -- Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS -- None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-4**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE PURCHASE OF 1) ONE TON CAB & CHASSIS SRW (SINGLE REAR WHEEL); 2) ONE FORKLIFT; 3) ONE MID/FULL SIZE AUTOMOBILE/VAN; 4) ONE TON CAB & CHASSIS DRW (DUAL REAR WHEEL); 5) FLAME/FURNACE ATOMIC ABSORPTION SPECTROPHOTOMETER FOR USE IN THE WATER POLLUTION CONTROL DIVISION.**

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda and a 3-0 vote from Streets and Sewers Committee to place on the agenda. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Hatch. The roll call vote was: YEAS -- Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS -- None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

ORDINANCE NO. 2000-5

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH METAL DETECTOR SALES, FOR THE PURCHASE OF A LINE LOCATOR FOR USE IN THE STREETS DEPARTMENT.**

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Dr. Arndt. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Dr. Arndt and seconded by Mrs. Pinnick. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

ORDINANCE NO. 2000-6

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SCIOTO VALLEY CONTRACTORS & FOR DEMOLITION OF 224 SILVER STREET (GARAGE), 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. Osborn spoke to council and advised council that he has reviewed the structure and there is progress being made. Mr. Osborn further urged approval of the legislation but for council to allow him the opportunity to work with the owner. Dr. Arndt advised that he has received a letter from Mr. Carroll Neidhart with respect to this property. Dr. Arndt further encouraged a first reading.

ORDINANCE NO. 2000-7

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR VARIOUS CAPITAL EQUIPMENT AND IMPROVEMENT ITEMS.**

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

ORDINANCE NO. 2000-8

**ORDINANCE AMENDING VARIOUS SECTIONS OF MARION CITY CODE SECTION 1360 PART THIRTEEN – STRUCTURE AND SAFETY CODE TO FURTHER ADDRESS VACANT AND FIRE DAMAGED BUILDINGS.**

The legislation's title received its first reading. There was a 3-0 vote from the Legislation, Codes and Regulations Committee to place on the agenda for a first reading.

ORDINANCE NO. 2000-9

**ORDINANCE TO AMEND ORDINANCE NO. 1969-29, (KNOWN AS THE YARGER REPORT), AS AMENDED, AND FURTHER AMENDING ALL PREVIOUS ORDINANCES BY RE-STATING THE DUTIES OF THE CLERK OF COUNCIL AND ESTABLISHING THE POSITIONS BENEFITS, 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. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Hatch. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Thomas inquired as to whether or not there are any benefits included in the Ordinance. Mr. Cramer, Marion City Auditor stated that it is based on a 20 hour work week and therefore there are no benefits such as health insurance, sick leave or vacation. However, PERS remains. Mrs. Davis inquired if there were any other changes in the Yarger Report. Mr. Russell advised there were not. Dr. Arndt asked if this was a corrective action and if council could approve this ordinance. Mr. Russell advised it is corrective and that council could in fact amend the Yarger Report relating to the Clerk of Council as she is an employee of council and not an elected position. Mr. Russell further advised that he would research whether or not the City was obligated to pay the Clerk benefits under a Federal Statute and advise. Dr. Arndt further advised he had no problem with this ordinance but just wanted to be sure that the Clerk was being compensated as required.

A Motion to Adopt was made by Dr. Arndt and seconded by Mr. Cumston. The roll call vote was: YEAS – Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS – Mr. Thomas.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

ORDINANCE NO. 2000-10

**ORDINANCE TO VACATE A CERTAIN ENTRYWAY TO HARDING ROAD RUNNING FROM THE WEST RIGHT-OF-WAY LINE OF CAMBRIDGE AVENUE AND INCLUDING THE SAME ANGULAR PARK BETWEEN SAID ENTRYWAYS IN VERNON HEIGHTS REALTY COMPANY 7<sup>TH</sup> ADDITION TO THE CITY OF MARION.**

The legislation's title received its first reading. There was no vote recorded from Committee. Mr. Thomas advised that this matter should have come before Streets and Sewers Committee prior to reaching council however, due to the recent changes, it did not go before committee.

President Kochheiser opened this matter for Public Hearing.

Mr. Pat Taylor, property owner requesting the vacation spoke and advised council that since the last meeting of the Planning Commission, he has obtained signatures from twelve of the property owners in support of vacating this portion of land. Mr. Russell advised council that in order to act upon this ordinance the ordinance needs to be in full with a meets and bounds legal description that has not been provided by the property owner. Mr. Thomas asked about the park in the area in questions. Mayor Kellogg spoke and advised that the City does not want this park. Mr. Russell spoke regarding the park and advised that he would research the issue of vacating the park and advise council at the next meeting. Mr. Taylor advised that with respect to the meets and bounds survey that he did not wish to spend \$1,000.00 to have this done if it would not be approved by council. He further advised that there is no park, the only items on the park land are two trees. Mr. Thomas asked about the meets and bounds description and inquired as to whom required this. Mr. Russell advised that the County Engineer requires this for every transfer.

Dr. Arndt inquired as to the City Planning Commissions vote. It was advised that the City Planning Commission voted not to approve because the long time residents did not want this to be vacated.

There being no further discussion, President Kochheiser closed the Public Hearing.

The legislations title was read into the record.

**Matters not on the Agenda** – Mr. Ralph Hill of Marion, Ohio asked on the Hospital purchase of Medcenter who were those that voted on the purchase and who owned the former Medcenter Hospital. Dr. Arndt advised that this matter was already discussed.

Robyn Sinden of Marion, Ohio questioned whether or not there would be a meeting of council on the hospital lease and if it would be public. President Kochheiser spoke with respect to Council Rule 60 Council does not have to meet they may meet and all meetings are open to the public.

Mayor Kellogg introduced his new Secretary Joann Ramsey.

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

0023

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10748

Held City Hall Council Chambers at 7:30 p.m. on February 14, 2000

(YEAR)

ROLL CALL - Nine Members Answered - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

PRAYER - The invocation was led by Russell Howard, Minister, Church of Christ, 535 Richland Road, Marion.

PLEDGE OF ALLEGIANCE - President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS - Mr. Cumston Moved to Accept the Summary of Council Proceedings for January 24, 2000, Mr. Hatch seconded. By a verbal vote all members voted in approval.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR JANUARY 24, 2000 APPROVED.

Old Business

ORDINANCE NO. 2000-6

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SCIOTO VALLEY CONTRACTORS & FOR DEMOLITION OF 224 SILVER STREET (GARAGE), 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. Osborn spoke to council and advised council that he has reviewed the structure and it is still in the same condition as it was two weeks ago. Mr. Osborn advised the members that the owner would like to wait until the weather breaks to complete the teardown. Chief Gruber advised council that his main concern is children getting into the structure. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Thomas. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mr. Schertzer. NAYS - Dr. Arndt, Mrs. Davis.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Thomas. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - Dr. Arndt.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

ORDINANCE NO. 2000-8

**ORDINANCE AMENDING VARIOUS SECTIONS OF MARION CITY CODE SECTION 1360 PART THIRTEEN - STRUCTURE AND SAFETY CODE TO FURTHER ADDRESS VACANT AND FIRE DAMAGED BUILDINGS.**

The legislation's title received its second reading. There was a 2-0 vote from the Legislation, Codes and Regulations Committee to place on the agenda. Mr. Schertzer inquired as to how this ordinance will assist in situations such as a vacant structure and the property owner not tearing down or taking care of the structure. Mr. Osborn advised that this ordinance would give leverage and enhance the authority of the city. This ordinance would also give the ability to board up the structure to prevent persons from entering. Mr. Cumston advised the members that previously council addressed occupied structures. The legislation was sent back to committee and is currently being addressed. A Motion for Suspension of Council Rules was made by Dr. Arndt and seconded by Mrs. Davis. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

Held

City Hall Council Chambers at 7:30 p.m. on February 14, 2000, Page Two

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Schertzer and seconded by Dr. Arndt. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-10**

**ORDINANCE TO VACATE A CERTAIN ENTRYWAY TO HARDING ROAD RUNNING FROM THE WEST RIGHT-OF-WAY LINE OF CAMBRIDGE AVENUE AND INCLUDING THE SAME ANGULAR PARK BETWEEN SAID ENTRYWAYS IN VERNON HEIGHTS REALTY COMPANY 7<sup>TH</sup> ADDITION TO THE CITY OF MARION.**

The legislation's title received its second reading. There was no vote recorded from Committee. Mr. Thomas inquired as to the legal description for the property. Mr. Russell advised the description is not completed by the surveyor due to some problems with the County Engineers Office. Dr. Arndt inquired from the City Engineer, Stan Carlyle as to whether or not he could assist in completing the legal description. Mr. Carlyle advised the members he would follow up with the County Engineer. The legislation's title received its second reading.

**New Business**

**ORDINANCE NO. 2000-11**

**ORDINANCE AMENDING ORDINANCE 1969-29, COMMONLY KNOWN AS THE YARGER REPORT, TO ESTABLISH THE NEW POSITIONS OF JUVENILE INTERVENTION SPECIALIST AND RECREATION PROGRAM COORDINATOR FOR THE CITY OF MARION.**

The legislation's title received its first reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Cumston advised the members that the positions are currently filled and that this ordinance would update the Yarger Report to reflect the positions. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Hatch. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Hatch. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-12**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE BARKS ROAD SANITARY SEWER PROJECT 97-3S AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 3-0 vote from Streets and Sewers Committee and a 3-0 vote from Finance Committee to place on the agenda. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

Held City Hall Council Chambers at 7:30 p.m. on February 14, 2000, Page Three

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mrs. Pinnick. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-13**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE BARKS ROAD STORM SEWER PROJECT 98-4S AND DECLARING AN EMERGENCY.**

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

A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Hatch. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-14**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH ATHLETIC DIE COMPANY FOR THE PURCHASE OF DIE CUTTING SYSTEM FOR USE IN THE STREETS DEPARTMENT SIGN SHOP.**

The legislation's title received its first reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Russell advised the members that due to an oversight in the ordinance, council would need to amend to add Section 2. this ordinance shall take effect on the earliest period allowed by law. A Motion to Amend was made by Mr. Cumston and seconded by Mr. Thomas. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-15**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE PURCHASE OF TWO ½ TON 2-WHEEL DRIVE PICK UP TRUCKS, ONE ¾ TON PICK UP 4-WHEEL DRIVE, ONE 1 TON 2-WHEEL DRIVE AND ONE DUMP BODY AND SNOW PLOW ACCESSORIES FOR 1 TON TRUCK.**

The legislation's title received its first reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Cumston advised the members that these items

were budgeted items. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS - Mr.

Cumston,

Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mrs. Pinnick. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-16**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH HOWELL RESCUE SYSTEMS TO PRUCHASE A MATJACK AIRBAG AND CUTTER FOR HURST TOOL 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 Finance Committee to place on the agenda. Mr. Cumston advised the members that these items were budgeted items. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Hatch. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Hatch. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-17**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MILLER LAWN & POWER EQUIPMENT COMPANY, TO PURCHASE A RIDING MOWER FOR THE PARKS DEPT.**

The legislation's title received its first reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Cumston advised the members that these items were budgeted items. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Dr. Arndt. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Held City Hall Council Chambers at 7:30 p.m. on February 14, 2000, Page Five

(YEAR)

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Hatch. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-18**

**ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO REVISED CODE 5705-41(D), AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Cumston advised the members this legislation was for the standard payment of bills. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS -

Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-19**

**ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

The legislation's title received its first reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Cumston advised the members that this ordinance clears up the end of the year budget. A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mrs. Pinnick. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-20**

**ORDINANCE RE-DECLARING THE CITY OF MARION'S SUPPORT FOR CAN DO! AND FURTHER PROVIDING FOR CONTINUING PATRONAGE, INCLUDING BUT NOT LIMITED FINANCIAL SPONSORSHIP IN ORDER TO CONTINUE THE ECONOMIC PROSPERITY THAT SAID ORGANIZATION HAS BROUGHT TO THE CITY OF MARION AND THE ENTIRE MARION AREA.**

The legislation's title received its first reading. There was a 3-0 vote from Jobs & Economic Development Committee and a 3-0 Finance Committee to place on the agenda. A Motion to Amend and add the emergency clause was made by Mr. Schertzer and seconded by Mrs. Davis. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None. WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

Held

City Hall Council Chambers at 7:30 p.m. on February 14, 2000, Page Six

(YEAR)

A Motion for Suspension of Council Rules was made by Mr. Cumston and seconded by Mrs. Peters. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Cumston and seconded by Mr. Schertzer. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-21**

**ORDINANCE TO VACATE A CERTAIN 40' EASEMENT FOR FUTURE ROADWAY RUNNING ALONG THE EASTERN PROPERTY LINE OF LOT # 17763 IN THE RESERVE SUBDIVISION, BUT EXCLUDING FROM THE VACATION THAT EXISTING 10' UTILITY EASEMENT WHICH SHALL REMAIN.**

The legislation's title received its first reading. There was a 3-0 vote from Streets and Sewers Committee to place on the agenda. Mr. Thomas inquired as to the remaining waivers needed from the property owners. Mr. Russell advised that the remaining property owners have signed and that the original remains with the Clerk of Council.

A Motion for Suspension of Council Rules was made by Mr. Thomas and seconded by Mrs. Davis. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

A Motion to Adopt was made by Mr. Thomas and seconded by Mrs. Blevins. The roll call vote was: YEAS - Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS - None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**Correspondence** - None

**Matters not on the Agenda** - Ms. Rosalee Marvin, 490 Toledo Avenue, Marion spoke to the members regarding semi trucks on Silver Street. Ms. Marvin was not able to provide names of the companies but advised the members of an ongoing traffic problem. Mr. Thomas advised the members that this matter would be addressed at the next meeting of the traffic commission.

Mayor Kellogg advised council that on Thursday afternoon he would be traveling to Toledo to seek information on what programs are available for construction of a bypass through Marion.

Ms. Elsie Carpenter, 403 Scranton Avenue, Marion inquired as to whom she would contact regarding homes and business' that were not being taken care of. Mr. Osborn advised her to contact his office for assistance.

Mr. Ralph Waddell, 631 S. Prospect, Marion advised the members as to a proposal that he and his brother Wes Waddell were attempting to do in Marion. Mr. Waddell asked if there was a list of abandoned or fire damaged homes that he could obtain to contact the owners to attempt to clean up the properties. He asked if council would help in the financing of these properties in cooperation with private lenders. Mr. Waddell asked for permission to allow his brother, Wes Waddell from Indiana to speak to council.

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

0031

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held City Hall Council Chambers at 7:30 p.m. on February 14, 2000, Page Seven

(YEAR)

Mrs. Davis moved and Dr. Arndt seconded, by a verbal vote all members voted in approval. Mr. Wes Waddell from Indiana advised council that they have contacted private lenders who will work with himself and his brother on a loan to value ratio for rehabilitation of properties. Mr. Waddell advised that if the properties were not salvageable they would request demolition supplemented by the City of Marion.

Dr. Arndt advised the members that he has received calls about the semi truck traffic on the boulevard and asked to have the matter investigated.

Mr. Schertzer Moved to send a letter to the Marion General Hospital Board asking them to reconsider the Anesthesia Contract. Mrs. Davis seconded. Dr. Arndt advised that he was not in favor of sending a letter and advised the members that sending such a letter may be out of bounds. Mr. Thomas agreed with Dr. Arndt.

Mr. Cumston advised the members that before he would agree on such a letter he would like to see the contract entered into. Mr. Schertzer advised that he merely wants to request that the hospital reconsider to level the playing field. Dr. Arndt advised that the patients would level the playing field as was done with Pathology and Radiology.

The Roll Call Vote was: YEAS: Mrs. Davis, Mr. Schertzer NAYS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Dr. Arndt, Mrs. Pinnick.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE MATTER FAILED.

Committee Dates -

Airports, Lands & Buildings - Monday, February 22, 2000 @ 7:00 p.m.

Finance - Monday, February 22, 2000 @ 6:30 p.m.

Jobs & Economic Development - February 22, 2000 @ 5:30

Traffic Commission - February 22, 2000 @ 6:00 p.m.

All meetings to be held in the Community Room.

Mayor Kellogg read the State of The City Address to the members of Council and all in attendance.

Council was presented with a five minute presentations of Nunsense a program that was playing at the Palace Theatre.

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



Cathy A. Chaffin  
CLERK OF COUNCIL



Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held City Hall Council Chambers at 7:30 p.m. on February 28, 2000, \_\_\_\_\_ (YEAR)

ROLL CALL - Six Members Answered - Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer.

Dr. Arndt moved to excuse the absent members with Mr. Schertzer seconding. By a Verbal Vote all members voted in approval.

PRAYER - The Lord's Prayer was led by President Kochheiser.

PLEDGE OF ALLEGIANCE - President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS - Mrs. Davis advised the members that with respect to her recorded Vote on Ordinance No. 2000-6 there was a technical error and he recorded vote should read No on Motion to Suspend and Yes on the Motion to Adopt. With the technical correction, Dr. Arndt Moved to Accept the Summary of Council Proceedings for February 14, 2000, Mr. Schertzer seconded. By a verbal vote all members voted in approval.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR FEBRUARY 14, 2000 APPROVED.

Old Business

ORDINANCE NO. 2000-10

**ORDINANCE TO VACATE A CERTAIN ENTRYWAY TO HARDING ROAD RUNNING FROM THE WEST RIGHT-OF-WAY LINE OF CAMBRIDGE AVENUE AND INCLUDING THE SAME ANGULAR PARK BETWEEN SAID ENTRYWAYS IN VERNON HEIGHTS REALTY COMPANY 7<sup>TH</sup> ADDITION TO THE CITY OF MARION.**

The legislation's title received its third reading. Mayor Kellogg advised the members that with only six members being present, council needed seven for passage on City Planning Commission Items. Assistant Law Director Steve Chaffin advised the members that they could table the item and bring it back to council at a later date. Dr. Arndt moved to table the legislation until the next meeting of council with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THIS LEGISLATION TABLED UNTIL THE NEXT MEETING OF COUNCIL.

New Business

RESOLUTION NO. 2000-8

**RESOLUTION AMENDING RESOLUTION NO. 2000-7 RECOMMENDING THAT THE MARION COUNTY BOARD OF COMMISSIONERS ENTER INTO AN AGREEMENT WITH DRYPERS CORPORATION FOR THE PURPOSE OF ABATEMENT OF A PORTION OF TANGIBLE PERSONAL PROPERTY TAX ON EQUIPMENT AND INVENTORY AT A MANUFACTURING FACILITY AT 333 JOSEPH STREET, MARION, OHIO, TO ENCOURAGE THEM TO EXPAND THEIR DRYPERS CORPORATION AT THAT SITE, AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. Mr. Schertzer advised the members that this was a corrective measure to reflect that the actual new positions created would be 60 instead of 90 due to the current 30 temporary employment would be permanent. There was a 2-0 vote from Jobs and Economic Development to place on the agenda.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE LEGISLATION HAS RECEIVED ITS FIRST READING.

Held City Hall Council Chambers at 7:30 p.m. on February 28, 2000, Page Two

(YEAR)

**RESOLUTION NO. 2000-9**

**RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES FROM THE HEALTH FUND TO THE WIC FUND, THE EARLY INTERVENTION FUND, THE PREVENTIVE HEALTH FUND, THE EARLY START FUND AND THE WELCOME HOME FUND.**

The legislation's title received its first reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Thomas advised the members that this legislation was for cash advances until such time as the grants are received.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE LEGISLATION HAS RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-22**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR JANITORIAL SERVICES AT CITY HALL AND YOUTH CENTER.**

The legislation's title received its first reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Thomas advised the members that this legislation was for the semi annual contract for cleaning at each location.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE LEGISLATION HAS RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-23**

**ORDINANCE AMENDING ORDINANCE 1969-29, COMMONLY KNOWN AS THE YARGER REPORT, TO ESTABLISH THE NEW POSITION OF SENIOR CENTER DEVELOPMENT ASSISTANT FOR THE CITY OF MARION.**

The legislation's title received its first reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Thomas advised the members that this legislation was for a new position that has already been approved in the budget.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE LEGISLATION HAS RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-24**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH HENSEL READY MIX, INC. FOR THE PURCHASE OF CONTROLLED DENSITY FILL (CDF) TO BE USED AT THE WATER POLLUTION CONTROL PLANT.**

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE LEGISLATION HAS RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-25**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH DETROIT LIME COMPANY FOR HIGH CALCIUM PEBBLE QUICK LIME TO BE USED AT THE WATER POLLUTION CONTROL PLANT.**

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE LEGISLATION HAS RECEIVED ITS FIRST READING.

Held City Hall Council Chambers at 7:30 p.m. on February 28, 2000, Page Three

(YEAR)

**ORDINANCE NO. 2000-26****ORDINANCE MAKING APPROPRIATION ADJUSTMENTS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE LEGISLATION HAS RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-27****ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE LINCOLN PARK PARKING LOT PAVING PROJECT, AND DECLRING AN EMBERGENCY.**

The legislation's title received its first reading. There was a 2-0 vote from Jobs and Economic Development Committee to place on the agenda. Mr. Schertzer advised that this legislation represents the City's portion of the Block Grant.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE LEGISLATION HAS RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-28****ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO PREPARE AND ADVERTISE A REQUEST FOR QUALIFICATIONS FOR HOUSING REHABILITATION INSPECTION SERVICES AND ENTER INTO CONTRACT WITH THE MOST QUALIFIED INDIVIDUAL OR FIRM IN ORDER TO APPLY FOR THE COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) GRANT, SUBJECT TO THE MUTUAL AGREEMENT OF THE CITY OF MARION AND THE INDIVIDUAL OR FIRM, AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 2-0 vote from Jobs and Economic Development Committee to place on the agenda. Mr. Schertzer advised that this grant is applied for every two years.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE LEGISLATION HAS RECEIVED ITS FIRST READING.

**Correspondence** - None

**Matters not on the Agenda** - Mr. Schertzer advised inquired as to the savings the city obtains from the gas suppliers. Mr. Osborn advised currently the City is with Reliant Energy from Houston Texas and the have given the most competitive price for gas. Mr. Schertzer inquired as to whether or not the city has in place a safety policy, work rules and light duty standards. Mr. Pyles, Human Resources, advised the members that the City does have a safety policy and work rules but there currently is no light duty standards.

Mr. Schertzer further inquired as the progress on the Skate Board Park. The Mayor advised the members that the Recreation Department is currently seeking the funds and will be reporting back in the next four weeks.

Dr. Arndt moved to call a special meeting of Council for March 6, 2000 at 7:30 p.m. Mrs. Davis seconded and Mr. Schertzer provided the third. All members, by verbal vote, voted in approval.

President Kochheiser advised the members he would be providing the members with a proposal by the end of the week to take the council meetings to the Wards in the City of Marion. President Kochheiser asked the members to consider this matter and advise.

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

0035

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held City Hall Council Chambers at 7:30 p.m. on February 28, 2000, Page Four

(YEAR)

Mr. Schertzer advised the members that he felt the idea of moving meetings into the community would be a viable option.

Mr. Bill Rhinehart of Marion, Ohio advised council that he has received information regarding the gas pressure regulations and wanted to thank council.

**Committee Dates -**

Streets & Sewers - Monday, March 6, 2000 @ 6:00 p.m.

Legislation, Codes & Regulations - Monday, March 6, 2000 @ 6:15 p.m.

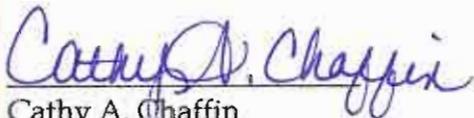
Finance - Monday, March 6, 2000 @ 6:30 p.m.

All meetings to be held in the Community Room.

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



Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL



Cathy A. Chaffin  
CLERK OF COUNCIL

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held City Hall Council Chambers at 7:30 p.m. on March 6, 2000, \_\_\_\_\_ (YEAR)

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

Dr. Arndt moved to excuse Mr. Hatch with Mr. Cumston seconding. By a Verbal Vote all members voted in approval.

PRAYER – The Invocation was led by Reverend Charles Martindell, Prospect Street Methodist Church.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections. There being none PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR FEBRUARY 14, 2000 APPROVED.

*Old Business*

**ORDINANCE NO. 2000-10**

**ORDINANCE TO VACATE A CERTAIN ENTRYWAY TO HARDING ROAD RUNNING FROM THE WEST RIGHT-OF-WAY LINE OF CAMBRIDGE AVENUE AND INCLUDING THE SAME ANGULAR PARK BETWEEN SAID ENTRYWAYS IN VERNON HEIGHTS REALTY COMPANY 7<sup>TH</sup> ADDITION TO THE CITY OF MARION.**

The legislation was tabled until 3/6/2000. The legislation's title received its third reading. Mr. Thomas moved to approve with Dr. Arndt seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**RESOLUTION NO. 2000-8**

**RESOLUTION AMENDING RESOLUTION NO. 2000-7 RECOMMENDING THAT THE MARION COUNTY BOARD OF COMMISSIONERS ENTER INTO AN AGREEMENT WITH DRYPERS CORPORATION FOR THE PURPOSE OF ABATEMENT OF A PORTION OF TANGIBLE PERSONAL PROPERTY TAX ON EQUIPMENT AND INVENTORY AT A MANUFACTURING FACILITY AT 333 JOSEPH STREET, MARION, OHIO, TO ENCOURAGE THEM TO EXPAND THEIR DRYPERS CORPORATION AT THAT SITE, AND DECLARING AN EMERGENCY.**

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. Schertzer advised the members that this was a corrective measure to reflect that the actual new positions created would be 60 instead of 90 due to the current 30 temporary employment would be permanent. Dr. Arndt inquired as to what assurances we have that the number of jobs proposed would be in place. Mr. Ken Lengieza advised the members that this would be a part of the agreement. Mr. Thomas inquired as to the number of employees and if they would stay the same. Mr. Lengieza affirmed. Mr. Cumston commended Drypers Corporation for the expansion and for staying in Marion.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Held City Hall Council Chambers at 7:30 p.m. on March 6, 2000, Page Two

(YEAR)

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-9**

**RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES FROM THE HEALTH FUND TO THE WIC FUND, THE EARLY INTERVENTION FUND, THE PREVENTIVE HEALTH FUND, THE EARLY START FUND AND THE WELCOME HOME FUND.**

The legislation's title received its second reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Cumston advised the members that this legislation was for cash advances until such time as the grants are received.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**ORDINANCE NO. 2000-22**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR JANITORIAL SERVICES AT CITY HALL AND YOUTH CENTER.**

The legislation's title received its second reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Cumston advised the members that this legislation was for the semi annual contract for cleaning at each location.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-23**

**ORDINANCE AMENDING ORDINANCE 1969-29, COMMONLY KNOWN AS THE YARGER REPORT, TO ESTABLISH THE NEW POSITION OF SENIOR CENTER DEVELOPMENT ASSISTANT FOR THE CITY OF MARION.**

The legislation's title received its second reading. There was a 3-0 vote from Finance Committee to place on the agenda. Mr. Cumston advised the members that this position was currently a part time position and the legislation would create the full time position.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

DAYTON LEGAL BLANK, INC. FORM NO. 1914H

Held City Hall Council Chambers at 7:30 p.m. on March 6, 2000, Page Three

(YEAR)

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-24**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH HENSEL READY MIX, INC. FOR THE PURCHASE OF CONTROLLED DENSITY FILL (CDF) TO BE USED AT THE WATER POLLUTION CONTROL PLANT.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-25**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH DETROIT LIME COMPANY FOR HIGH CALCIUM PEBBLE QUICK LIME TO BE USED AT THE WATER POLLUTION CONTROL PLANT.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-26**

**ORDINANCE MAKING APPROPRIATION ADJUSTMENTS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held City Hall Council Chambers at 7:30 p.m. on March 6, 2000, Page Four

(YEAR)

**ORDINANCE NO. 2000-27**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE LINCOLN PARK PARKING LOT PAVING PROJECT, AND DECLRING AN EMBERGENCY.**

The legislation's title received its second reading. There was a 2-0 vote from Jobs and Economic Development Committee to place on the agenda. Mr. Schertzer advised that this legislation represents the City's portion of the Block Grant.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-28**

**ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO PREPARE AND ADVERTISE A REQUEST FOR QUALIFICATIONS FOR HOUSING REHABILITATION INSPECTION SERVICES AND ENTER INTO CONTRACT WITH THE MOST QUALIFIED INDIVIDUAL OR FIRM IN ORDER TO APPLY FOR THE COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) GRANT, SUBJECT TO THE MUTUAL AGREEMENT OF THE CITY OF MARION AND THE INDIVIDUAL OR FIRM, AND DECLARING AN EMERGENCY.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**Correspondence** - None

**Matters not on the Agenda** - None.

**Committee Dates** -

Finance - Tuesday, March 21, 2000 @ 6:30 p.m. Mrs. Davis advised the members that the meeting of Finance was set by Ordinance for the Third Tuesday of the Month. Whereupon Chairman Cumston moved the meeting of Finance to Tuesday, March 21, 2000 @ 6:30 p.m.

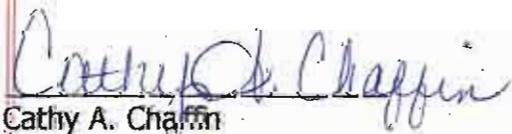
Jobs & Economic Development - Monday, March 20, 2000 @5:30 p.m.

All meetings to be held in the Community Room.

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



Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL



Cathy A. Chappin  
CLERK OF COUNCIL

DAYTON LEGAL BLANK, INC. FORM NO. 15148

Held City Hall Council Chambers at 7:30 p.m. on March 13, 2000, (YEAR)

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

Mr. Cumston moved to excuse Mr. Hatch with Mr. Schertzer seconding. By a Verbal Vote all members voted in approval.

PRAYER – The Invocation was led by Pastor David Rush, Grace Baptist Church.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections. President Kochheiser advised the members of a typographical error under Resolution No. 2000-8, where indicated as Crypers it should read Drypers.

Mr. Thomas moved to accept with Mr. Cumston seconding. By a Verbal Vote all members voted in approval.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR MARCH 6, 2000 APPROVED.

**PUBLIC HEARING** - President Kochheiser opened a hearing on the city's intent to apply for the Small Cities Community Development Block Grant Program. Ken Lengieza, Regional Planning Director and Evelyn Warr-Cummings from Regional Planning explained the requirement is to have a general over all hearing on all block grant programs. The hearing addressed Formula Grants, Housing Grants, Economic Development Grants/Loans, Downtown Revitalization Grants, and Special Programs. There being no further discussion, President Kochheiser closed the hearing.

### New Business

#### **ORDINANCE NO. 2000-29**

#### **ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR THE HENRY STREET SANITARY SEWER REPLACEMENT PROJECT 99-2S AND DECLARING AN EMERGENCY.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

#### **ORDINANCE NO. 2000-30**

#### **ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE SEWER REVENUE FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held City Hall Council Chambers at 7:30 p.m. on March 13, 2000, Page Two, \_\_\_\_\_ (YEAR)

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-31**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MATHEWS-KENNEDY FORD, INC., FOR THE PURCHASE OF TWO (2) VEHICLES FOR THE POLICE DEPARTMENT AND WITH WALSTON MOTORS FOR THE PURCHASE OF THREE (3) POLICE 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 inquired as to whether or not these vehicles were fully equipped. Chief Bell replied they were not fully equipped and the light bars and other specialty items would need to be added.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**Correspondence** - None

**Matters not on the Agenda** – Mr. Schertzer advised the members that after seeing the recent news story regarding a police chase in another city that resulted in an innocent person being killed, What is the City's Policy? Chief Bell advised that there is a lengthy policy manual that covers all types. Some of the factors to consider before chasing a suspect is the time of day, speed and severity of the crime.

Mr. Schertzer inquired as to the Waste Water Treatment Plant – Does the City allow dumping by private companies at the plant? Mr. Osborn advised they do permit private companies at a price per gallon fee. Mr. Schertzer inquired as to what types of dumping i.e. livestock? Mr. Osborn advised no mainly septic tanks.

Mr. Thomas moved to Dissolve the Hospital Select Committee. Dr. Arndt seconded. The role call vote was: The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick. NAYS: Mrs. Davis, Mr. Schertzer.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE HOSPITAL SELECT COMMITTEE DISSOLVED.

President Kochheiser reminded all members of the C to C Memo and encouraged all members to have the locations to him by March 16, 2000.

Cathy Chaffin, Clerk of Council advised the members that a memo was placed in council's boxes advising them of the Web Site that I had drafted. I encouraged each member to review the site and provide suggestions for corrections or changes along with pictures of each member. I further advised the members that I would like to have the site hosted and running no later than April 30, 2000.

Mr. Osborn reminded the members about the Garfield Park Clean Up Day and encouraged the members to let him know if they have any areas that they would like to have cleaned.

Held City Hall Council Chambers at 7:30 p.m. on March 13, 2000, Page Three

(YEAR)

**EXECUTIVE SESSION:**

Mrs. Pinnick moved to go into executive session to discuss the possible purchase of property. Mr. Schertzer seconded. By a verbal vote, all members voted in approval. The executive session began at 8:13 p.m.

Dr. Arndt made a motion to end executive session. Mr. Cumston seconded. By a verbal vote, all members voted in approval. The executive session ends at 9:18 p.m.

**Committee Dates -**

Finance - Tuesday, March 21, 2000 @ 6:30 p.m.

Jobs & Economic Development - Monday, March 20, 2000 @ 5:30 p.m.

Streets & Sewers - Tuesday, March 21, 2000 @ 5:45 p.m.

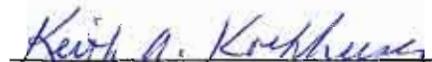
Airports, Lands & Buildings - Tuesday, March 21, 2000 @ 6:00 p.m.

All meetings to be held in the Community Room.

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



Cathy A. Chaffin  
CLERK OF COUNCIL

  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

0043

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held City Hall Council Chambers at 7:30 p.m. on March 27, 2000

(YEAR)

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

PRAYER – The Invocation was led by Reverend Kenneth Durtsche, Fairpark Church.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Cumston moved to accept with Mr. Hatch seconding. By a Verbal Vote all members voted in approval.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR MARCH 13, 2000 APPROVED.

Special Recognition: Mr. Kyle Dettra was in attendance for special recognition for the Boy Scout Merit Badge. Mr. Dettra received a round of applause.

Mr. Cumston moved to add Resolution No. 2000-10; 2000-11; 2000-12. Mr. Hatch seconded and Mrs. Pinnick provided the third to add these items to the agenda.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE ITEMS ADDED TO THE AGENDA.

*New Business*

**RESOLUTION NO. 2000-10**

**RESOLUTION CONFIRMING AND CONSENTING TO THE APPOINTMENT BY THE MAYOR, OF DANIEL KIGER AS A MEMBER OF THE BOARD OF DIRECTORS OF THE MARION PORT AUTHORITY, AND DECLARING AN EMERGENCY.**

Mayor Kellogg advised that each of the members should have received the resume of Mr. Kiger. He further advised that Mr. Kiger is currently the Chaplain at Marion General Hospital and he felt that he would be a good addition to the Port Authority. The legislation's title received its first reading. Mr. Thomas inquired as to the number of appointments the City can make. Mayor Kellogg advised that the City has two the County has two and the four make the final appointment.

Mr. Cumston moved to suspend the rules of council. Mrs. Davis seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-11**

**RESOLUTION CONFIRMING AND CONSENTING TO THE APPOINTMENT BY THE MAYOR, OF MELVIN L. KOEHLER AS A MEMBER OF THE BOARD OF DIRECTORS OF THE MARION PORT AUTHORITY, AND DECLARING AN EMERGENCY.**

Mayor Kellogg advised that each member should have received a resume from Mr. Koehler. He further advised that Mr. Koehler previously served on the Economic Development Board for the City and encouraged the members to appoint Mr. Koehler.

Held City Hall Council Chambers at 7:30 p.m. on March 27, 2000, Page Two

(YEAR)

Dr. Arndt moved to suspend the rules of council. Mrs. Peters seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Dr. Arndt moved to approve with Mrs. Peters seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Thomas.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**ORDINANCE NO. 2000-32**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH RUS OF LANCASTER FOR THE PURPOSE OF PROVIDING A UNIFORM SERVICE TO VARIOUS CITY EMPLOYEES, 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. Cumston advised the members that this was the best bid and the same company as used in the past.

Mr. Cumston moved to suspend the rules of council. Mrs. Pinnick seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-33**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH BAKER MAINTENANCE FOR JANITORIAL SERVICES AT CITY HALL AND MARION CITY YOUTH CENTER, 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. Cumston advised the members that this was the best bid and the same company as used in the past.

Mr. Cumston moved to suspend the rules of council. Dr. Arndt seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to approve with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Mr. Hatch.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-34**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH DEXTER COMPANY FOR THE PURCHASE OF A DUMP BODY AND RELATED SNOW PLOW ACCESSORIES TO BE MOUNTED ON ONE TON CAB & CHASSIS FOR USE IN THE STREETS 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. Cumston advised the members that these items were a part of the equipment replacement program.

Mr. Cumston moved to suspend the rules of council. Dr. Arndt seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

Held City Hall Council Chambers at 7:30 p.m. on March 27, 2000, Page Three, (YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-35**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MATHEWS KENNEDY FORD FOR THE PURCHASE OF TWO ½ TON PICKUP TRUCKS, ONE – ¾ TON 4 WHEEL DRIVE PICKUP AND ONE – 1 TON CAB & CHASSIS FOR USE IN THE STREETS 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. Cumston advised the members that these items were a part of the equipment replacement program.

Mr. Cumston moved to suspend the rules of council. Dr. Arndt seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-36**

**ORDINANCE ENACTED BY THE CITY OF MARION, MARION COUNTY, OHIO IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT AND TO REQUEST COOPERATION BY THE DIRECTOR OF TRANSPORTATION (REPLACING 13 SIGNALS ON SR 95/309) AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 3-0 vote from the Streets & Sewers to place on the agenda. Mr. Thomas advised the members that this was Phase IV of the Traffic Light Replacements.

Mr. Thomas moved to suspend the rules of council. Mrs. Blevins seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-37**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MATHEWS KENNEDY FLM, MARION, OHIO FOR THE PURCHASE OF ONE TON CAB AND CHASSIS WITH DUAL REAR WHEELS TO BE USED AT THE WATER POLLUTION CONTROL PLANT 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. Cumston advised the members that these items were a part of the equipment replacement program.

Mr. Cumston moved to suspend the rules of council. Dr. Arndt seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Held City Hall Council Chambers at 7:30 p.m. on March 27, 2000, Page Four

(YEAR)

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-38**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MATHEWS KENNEDY FLM, MARION, OHIO FOR THE PURCHASE OF A ONE TON CAB AND CHASSIS WITH SINGLE REAR WHEELS TO BE USED AT THE WATER POLLUTION CONTROL PLANT, 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. Cumston moved to suspend the rules of council. Dr. Arndt seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-39**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO SELL ONE 1990 FORD TEMPO GL, SN 1FAPP36XXLK109726.**

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

Mr. Cumston moved to suspend the rules of council. Mr. Schertzer seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-40**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH THE STATE PURCHASE CONTRACTOR BYERS CHEVROLET, COLUMBUS, OHIO FOR THE PURCHASE OF ONE MODEL YEAR 2000 LUMINA CHEVROLET FOR THE USE IN THE WATER POLLUTION CONTROL DIVISION 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. Cumston commended the departments for the purchases in vehicles.

Mr. Cumston moved to suspend the rules of council. Dr. Arndt seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

Held City Hall Council Chambers at 7:30 p.m. on March 27, 2000, Page Five

(YEAR)

**ORDINANCE NO. 2000-41**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH ZOLL MEDICAL CORPORATION TO PURCHASE A ZOLL DEFIBRILLATOR 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. Cumston advised the members that this would add life support equipment for the Jefferson Street Fire Station.

Mr. Cumston moved to suspend the rules of council. Dr. Arndt seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-42**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH PRO-AM SAFETY PRODUCTS TO PURCHASE TWO 60 MINUTES S.C.B.A. UNITS WITH EXTRA BOTTLES, FIVE SCOTT VOICE AMPLIFIER SYSTEMS, AND TWENTY SCOTT AIR CYLINDERS 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. Cumston commended Chief Gruber and advised the members that it is a 2 for 1 deal on the cylinder purchase.

Mr. Cumston moved to suspend the rules of council. Mrs. Peters seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-43**

**ORDINANCE APPROVING THE PURCHASE OF A SOUND SYSTEM BY THE COUNCIL FOR THE CITY OF MARION, OHIO TO PROVIDE FOR PROPER AMPLIFICATION OF COUNCIL'S MEETINGS IN CHAMBERS AND AT OTHER LOCATIONS.**

Mr. Cumston moved to add this item to the agenda. Mr. Hatch seconded and Mrs. Davis gave the third.

The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADDED TO THE AGENDA.

The legislation's title received its first reading. Mr. Cumston advised the members that this legislation was to purchase a sound system for council and that a demonstration would be arranged prior to purchase. Mr. Cumston requested first reading only.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-44**

**ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE VIOLENCE AGAINST WOMEN FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

Held City Hall Council Chambers at 7:30 p.m. on March 27, 2000, Page Six

(YEAR)

The legislation's title received its first reading. Mr. Cramer, Marion City Auditor, advised the members that this piece of legislation was necessary to cover the change in benefits for the employee coverage. He further advised the members that this would be reimbursed by the Grant.

Mr. Cumston moved to suspend the rules of council. Dr. Arndt seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-45**

**ORDINANCE TO ESTABLISH A MODERATE AND LOW INCOME HOUSING REHABILITATION PROGRAM THROUGH THE STATE OF OHIO COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP), TO AUTHORIZE THE MAYOR AND THE MARION COUNTY REGIONAL PLANNING COMMISSION TO APPLY FOR, ADMINISTER THE TOTAL GRANT, AND TO AUTHORIZE THE MAYOR TO ALSO EXTEND THE CONTRACT WITH THE MARION METROPOLITAN HOUSING AUTHORITY TO ADMINISTER THE TENANT BASED AND SELF SUFFICIENCY ASSISTANCE COMPONENTS AND EXTEND THE CONTRACT WITH MARION-CRAWFORD COMMUNITY ACTION COMMISSION TO ASSIST IN IMPLEMENTATION OF THE OWNER OCCUPIED AND RENTAL REHAB ACTIVITIES, AND DECLARING AN EMERGENCY.**

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. Schertzer advised the members that this legislation addressed the low income housing program and housing rehabilitation program. He further advised the members that in any circumstance when there are grant monies available we should take advantage of the monies.

Mr. Schertzer moved to suspend the rules of council. Mrs. Peters seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**RESOLUTION NO. 2000-12**

**RESOLUTION SETTING FORTH THE COUNCIL'S INTENT TO HOLD IT'S REGULAR MEETING FOR APRIL 10, 2000 7:30 P.M. AT THE FAIRPARK ELEMENTARY SCHOOL, THIS THE FIRST IN A SERIES OF "COUNCIL TO THE COMMUNITY" MEETINGS, AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. Mr. Cumston advised the members that he felt Fairpark School would be an ideal location due to the Mock Council Meeting previously held at the school and the location.

Mr. Cumston moved to suspend the rules of council. Mr. Hatch seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

049

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held City Hall Council Chambers at 7:30 p.m. on March 27, 2000, Page Seven

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**Correspondence** - Mr. Thomas requested that the Clerk compose a letter to Mr. Kyle Dettra in recognition for his hard work and dedication towards the Merit Badge. He further asked Mr. Cramer if he could provide Mr. Dettra with a copy of the budget and Mr. Cramer advised he would do so.

**Matters not on the Agenda** - Mr. Russell, Marion City Law Director advised the members that he has provided the annual report to the members. He further advised that to highlight some of the high points of the report, the record collections of past due monies owed to the city and the resolution and success of defending the lawsuits against the city. The record collection amounts to \$155,118.12, which figure represents a 10% increase in collections from the prior year and covers 65% of the office's total budget.

Mr. Cumston commended the Saturday in the Park for the \$1,000.00 donation to the Skate Park. He further encouraged others to donate and challenged a matching of the funds for the park.

Dr. Arndt thanked Mr. Stan Carlyle, City Engineer for taking care of the manhole in the vicinity of Chateau and Toulon. Mr. Carlyle advised the members that thanks to Mark Feldman and his camera they were able to detect the problem and quickly resolve the issue.

President Kochheiser urged all members to have the C to C meeting locations in by next week as there were four more to fill.

Mr. Schertzer inquired as to the parking lot on the Northeast Corner of Church and Main as to what can be done for the sinking of the lot. Mr. Russell advised that his office will be issuing a letter to the property owner. Mayor Kellogg advised that the old burned out car was removed.

Mr. Schertzer inquired of Chief Bell as to people parking in the fire lane on Fairlane and Fairlawn Avenue. The Chief advised that he has reviewed this matter and has found no problems.

Mr. Schertzer inquired as to the letter from Mr. Larry Breece on Oak Grove if there was anything that could be done to address the paving issue. Mr. Carlyle advised that the paving is being looked at.

**Committee Dates** -

Finance - Monday, April 3, 2000 @ 6:30 p.m.

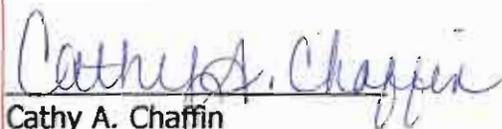
Legislation, Codes & Regulations - Monday, April 3, 2000 @ 6:00 p.m.

Streets & Sewers - Monday, April 3, 2000 @ 7:00 p.m.

Zoning & Annexation - Monday, April 3, 2000 @ 5:45 p.m.

All meetings to be held in the Community Room.

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



Cathy A. Chaffin  
CLERK OF COUNCIL

  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

Held Fairpark Elementary School, Gymnasium at 7:30 p.m. on April 10, 2000, (YEAR)

ROLL CALL – Eight Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Mr. Cumston moved to excuse Dr. Arndt with Mrs. Davis seconding. By a Verbal Vote all members voted in approval.

PRAYER – The Invocation was led by Pastor Weston Jones, Emmanuel Lutheran Church.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Cumston moved to accept with Mr. Schertzer seconding. By a Verbal Vote all members voted in approval.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR MARCH 27, 2000 APPROVED.

Old Business

**ORDINANCE NO. 2000-43**

**ORDINANCE APPROVING THE PURCHASE OF A SOUND SYSTEM BY THE COUNCIL FOR THE CITY OF MARION, OHIO TO PROVIDE FOR PROPER AMPLIFICATION OF COUNCIL'S MEETINGS IN CHAMBERS AND AT OTHER LOCATIONS.**

The legislation's title received its second reading. Mr. Cumston advised the members that this legislation was to purchase a sound system for council and that a demonstration would be arranged prior to purchase. Mr. Cumston further advised that this matter came from the Finance Committee with a 3-0 recommendation to place on the agenda. Mr. Tim Mason from Paladin Protective systems, Inc. was present and provided the members with a demonstration of the system. He further explained the set up and tear down procedure along with a media feed for the camera. Mr. Cumston requested second reading only.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS SECOND READING.

New Business

**RESOLUTION NO. 2000-13**

**RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE UP TO \$19,260.00 IN CASH ADVANCES TO THE CAMP POSITIVE DIRECTION FUND FROM THE GENERAL FUND, 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. Cumston moved to suspend the rules of council. Mr. Schertzer seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to approve with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-14**

**RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE UP TO \$25,000.00 IN CASH ADVANCES TO THE SMART PROGRAM FUND FROM THE GENERAL FUND AND DECLARING AN EMERGENCY.**

Held Fairpark Elementary School at 7:30 p.m. on April 10, 2000, Page Two

(YEAR)

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

Mr. Cumston moved to suspend the rules of council. Mrs. Davis seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to approve with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-15**

**RESOLUTION CONFIRMING AND CONSENTING TO THE APPOINTMENT, BY THE MAYOR, OF CARMEN J. MORBITT AS A MEMBER OF THE BOARD OF DIRECTORS OF THE MARION PORT AUTHORITY, AND DECLARING AN EMERGENCY.**

Mr. Cumston moved to add this item to the agenda, Mrs. Blevins seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THIS ITEM ADDED TO THE AGENDA.

The legislation's title received its first reading. Mayor Kellogg advised the members that Mr. Morbitt was a realtor and that he would be a good addition to the board and further that he recommends that Mr. Morbitt be appointed.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**ORDINANCE NO. 2000-46**

**ORDINANCE RATIFYING AND APPROVING THE BARGAINING AGREEMENT BETWEEN THE CITY OF MARION AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 379, AMENDING COMPOSITION ORDINANCE 1998-105, APPROPRIATING THE NECESSARY FUNDS, 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. Cumston moved to suspend the rules of council. Mrs. Pinnick seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to approve with Mr. Thomas seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-47**

**ORDINANCE TO VACATE A PARTIAL 15 FOOT WIDE EAST-WEST ALLEY BETWEEN 202 NORTH GRAND AVENUE AND 210 NORTH GRAND AVENUE IN THE CITY OF MARION.**

Held Fairpark Elementary School at 7:30 p.m. on April 10, 2000, Page Three

(YEAR)

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 and advised the members that this matter is set for public hearing on April 24, 2000.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-48**

**ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY BILLS FROM VARIOUS CITY DEPARTMENTS PURSUANT TO OHIO REVISED CODE SECTION 5705.41 (D), 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. Cumston moved to suspend the rules of council. Mr. Schertzer seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Schertzer moved to approve with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-49**

**ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

Mr. Cumston moved to suspend the rules of council. Mrs. Davis seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to approve with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-50**

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

The legislation's title received its first reading. There was a 3-0 vote from the Legislation, Codes & Regulations Committee to place on the agenda. Mr. Schertzer advised the members that this ordinance provides some consistency with committee meetings and gives the opportunity for citizens to know the days and dates for the Committee meetings. Mr. Russell advised the members that this is a step in the right direction to become more formal with the meetings. Mr. Cumston advised the members that he likes receiving the finance agenda's on Friday because it allows time for research and he also advocated for consistency. Mr. Schertzer requested first reading only.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-51**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH UNDERGROUND UTILITIES, INC. FOR THE HENRY STREET SANITARY SEWER REPLACEMENT, PROJECT 99-2S FOR THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.**

Held Fairpark Elementary School at 7:30 p.m. on April 10, 2000, Page Four

(YEAR)

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

Mr. Cumston moved to suspend the rules of council. Mr. Schertzer seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to approve with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-52**

**ORDINANCE AMENDING PORTIONS OF MARION CITY CODE SECTION 943 PART NINE – STREETS AND PUBLIC SERVICES CODE TO PROVIDE FOR COST OF LIVING ADJUSTMENTS WITHIN THE SANITATION FEE SCHEDULE FOR SENIOR CITIZENS AND DISABLED PERSONS.**

The legislation's title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Cumston advised the members that there was some people in the audience wishing to address this item. Mr. Paul Geissler, 1054 Fairwood Avenue, Marion spoke to council regarding the income limit for reductions. He advocated that considerations should be given to medications and medical bills that some citizens must pay and further advocated that it should be raised to \$29,500. Mr. Cumston inquired of Mr. Osborn if the City is using Adjusted Gross Income or Gross Income. Mr. Osborn advised the members that they are not but that this legislation raises the income from \$15,000 to \$19,500 (Cost of Living Increase). Mr. Thomas inquired further as to whether or not the City was using the Adjusted Gross Income from the 1040's. Mr. Osborn advised they were not. Mr. Thomas further inquired if there was some way of providing for a medical expense credit. Mr. Russell, City Law Director advised the members that they can write the Ordinance anyway they see fit.

Mr. Cumston moved to refer the matter back to committee for review. Mrs. Davis seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE REFERRED BACK TO COMMITTEE.

**ORDINANCE NO. 2000-53**

**ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY LOCATED AT 1069 DELAWARE AVENUE CONSISTING OF 0.041 ACRES, MORE OR LESS, IN THE CITY OF MARION FROM O-I (OFFICE-INSTITUTIONAL) TO C-4 (CENTRAL FRAME BUSINESS DISTRICT).**

Mr. Cumston moved to add this item on the agenda with Mrs. Blevins seconding and Mr. Hatch providing the third. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADDED TO THE AGENDA.

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

Mrs. Blevins requested a first reading and advised the members that this matter is set for public hearing on April 24, 2000.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

Held Fairpark Elementary School at 7:30 p.m. on April 10, 2000, Page Five

(YEAR)

**ORDINANCE NO. 2000-54**

**ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY LOCATED AT 1751 DELAWARE AVENUE CONSISTING OF 0.628 ACRES, MORE OR LESS, IN THE CITY OF MARION FROM O-I (OFFICE-INSTITUTIONAL) TO C-4 (CENTRAL FRAME BUSINESS DISTRICT).**

Mr. Cumston moved to add this item on the agenda with Mrs. Blevins seconding and Mr. Hatch providing the third. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADDED TO THE AGENDA.

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

Mrs. Blevins requested a first reading and advised the members that this matter is set for public hearing on April 24, 2000.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-55**

**ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY LOCATED AT 1130 ELLEN KAY DRIVE CONSISTING OF 1.199 ACRES, MORE OR LESS, IN THE CITY OF MARION FROM O-I (OFFICE-INSTITUTIONAL) TO C-4 (CENTRAL FRAME BUSINESS DISTRICT).**

Mr. Cumston moved to add this item on the agenda with Mrs. Blevins seconding and Mr. Hatch providing the third. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADDED TO THE AGENDA.

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

Mrs. Blevins requested a first reading and advised the members that this matter is set for public hearing on April 24, 2000.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

**Correspondence** - None

**Matters not on the Agenda** – Ms. Rosalee Marvin, 490 Toledo Avenue, Marion, expressed her concerns with the proposed traffic light removal at Orchard Street and Church Street. She encouraged Council to reconsider the decision to remove the light. Mr. Schertzer explained that the removal comes from ODOT and that the traffic light would not be removed for two years. Mr. Carlyle advised that the City has Phases for lights and that this light is set for removal under Phase IV. Mr. Carlyle further advised that if the City intends to keep the light it must be upgraded and that cost would be approximately \$75,000.00. Ms. Marvin also inquired as to lowering the speed of traffic. Mr. Carlyle advised that they could extend the 25 MPH speed limit from Orchard Street into downtown.

Mr. Paul Geissler, 1054 Fairwood Avenue, Marion, expressed several concerns to the members contained within a letter. His concerns included the speed of traffic on Fairwood Avenue, Richmond Avenue and Robinson. He proposed a three way stop sign. He also expressed concerns with cars parked on both sides of Robinson Street and Nassau by the school; trash around the grocery store and plaza area; sidewalks with holes; vehicles being parked in yards and trees and shrubs blocking the sidewalk path.

The citizens also expressed concerns with children using foul language and in teaching the children right from wrong.

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

000055

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Fairpark Elementary School at 7:30 p.m. on April 10, 2000, Page Six

(YEAR)

Mrs. Davis advised Mr. Geissler that there is an ordinance already relating to the trees and shrubs and that this matter should be reviewed by the administration.

Mr. Cumston extended a thank you to Fairpark School for the use of the gymnasium.

**Committee Dates -**

Municipal Services, Parks & Recreation - Tuesday, April 18, 2000 @ 6:15 p.m.

To discuss the request for Dispatch Coordinator for the Police Department

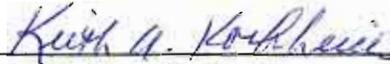
Finance - Tuesday, April 18, 2000 @ 6:30 p.m. - Regular Business

Traffic Commission - Tuesday, April 18, 2000 @ 7:00 p.m. -

Discussion of Mr. Paul Geisslers letter and concerns, and streets for the new Schools.

All meetings to be held in the Community Room.

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



Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL



Cathy A. Chaffin  
CLERK OF COUNCIL

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

City Hall Council Chambers at 7:30 p.m. on April 24, 2000

(YEAR)

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

PRAYER – The Invocation was led by Pastor Wil Beers, Dayspring Wesleyan Church.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections. President Kochheiser noted two technical corrections to be made. The first being that the meeting was held at the Fairpark School and the second being the name of the Pastor.

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

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR APRIL 10, 2000 APPROVED.

### Old Business

#### **ORDINANCE NO. 2000-43**

#### **ORDINANCE APPROVING THE PURCHASE OF A SOUND SYSTEM BY THE COUNCIL FOR THE CITY OF MARION, OHIO TO PROVIDE FOR PROPER AMPLIFICATION OF COUNCIL'S MEETINGS IN CHAMBERS AND AT OTHER LOCATIONS.**

The legislation's title received its third reading. Mr. Cumston advised the members that this legislation was to purchase a sound system for council. Mr. Cumston further advised that this matter came from the Finance Committee with a 3-0 recommendation to place on the agenda.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

#### **ORDINANCE NO. 2000-47**

#### **ORDINANCE TO VACATE A PARTIAL 15 FOOT WIDE EAST-WEST ALLEY BETWEEN 202 NORTH GRAND AVENUE AND 210 NORTH GRAND AVENUE IN THE CITY OF MARION.**

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 Kochheiser opened this matter for Public Hearing.

Mrs. Margaret Malone of 189 North Grand Avenue inquired as to whether or not the entire alley was being vacated and further advised the members she was not in favor of the closing. Mr. Thomas advised that the audience that the entire alley was not being closed and that there is a procedure to go through to close alleys. Mr. Jim Sheppard of 182 North Grand Avenue advised the members that there is only parking on one side of the street facing south bound and for this reason he would be against closing of the alley. Mr. Charles Russell, property owner, advised the members and the audience that he was not requesting to close the entire alley he is requesting all but 20' of the alley to be closed. He further advised that he has applied for safety for the tenants residing in the homes.

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

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

Held City Hall Council Chambers at 7:30 p.m. on April 24, 2000, Page Two

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE SUSPENSION OF COUNCIL RULES FAILED.

**ORDINANCE NO. 2000-50**

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

The legislation's title received its second reading. There was a 3-0 vote from the Legislation, Codes & Regulations Committee to place on the agenda. Mr. Schertzer further requested that this matter receive its second reading.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS SECOND READING.

**ORDINANCE NO. 2000-53**

**ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY LOCATED AT 1069 DELAWARE AVENUE CONSISTING OF 0.041 ACRES, MORE OR LESS, IN THE CITY OF MARION FROM O-I (OFFICE-INSTITUTIONAL) TO C-4 (CENTRAL FRAME BUSINESS DISTRICT).**

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

President Kochheiser opened this matter for Public Hearing.

Mr. Kevin Hall, Attorney for the Applicant spoke in favor of the application. Mr. Hall advised the members that this would allow the current dealership additional parking for the lot and assist in squaring the dealership land. No persons spoke in opposition of the request.

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-54**

**ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY LOCATED AT 1127 DELAWARE AVENUE CONSISTING OF 0.628 ACRES, MORE OR LESS, IN THE CITY OF MARION FROM O-I (OFFICE-INSTITUTIONAL) TO C-4 (CENTRAL FRAME BUSINESS DISTRICT).**

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

President Kochheiser opened this matter for Public Hearing.

Mr. Kevin Hall, Attorney for the Applicant spoke in favor of the application. Mr. Hall advised the members that this would correct the zoning as it is currently being used. No persons spoke in opposition of the request.

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

City Hall Council Chambers at 7:30 p.m. on April 24, 2000, Page Three

Held

(YEAR)

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-55**

**ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY LOCATED AT 1130 ELLEN KAY DRIVE CONSISTING OF 1.199 ACRES, MORE OR LESS, IN THE CITY OF MARION FROM O-I (OFFICE-INSTITUTIONAL) TO C-4 (CENTRAL FRAME BUSINESS DISTRICT).**

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

President Kochheiser opened this matter for Public Hearing.

Mr. Kevin Hall, Attorney for the Applicant spoke in favor of the application. Mr. Hall advised the members that this particular parcel of real estate is located at the rear of the current Honda Dealership. He further advised that the applicant has an agreement to purchase the real property for the expansion of the dealership. Mr. Ted McKinniss attorney for Management Expansion was in attendance. No persons spoke in opposition of the request.

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

Old Business

**RESOLUTION NO. 2000-16**

**RESOLUTION CONSENTING TO THE RE-APPOINTMENT BY THE MAYOR OF CHARLES CAMPBELL AS A MEMBER OF THE AIRPORT COMMISSION, AND APPROVING AND CONFIRMING SAID APPOINTMENT.**

Mayor Kellogg advised the members that Mr. Campbell currently serves on the Airport Commission and that he has been doing an excellent job. Mayor Kellogg further advised the members that the Airport Commission has approved the appointment.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

Held City Hall Council Chambers at 7:30 p.m. on April 24, 2000, Page Four

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-17**

**RESOLUTION CONSENTING TO THE RE-APPOINTMENT BY THE MAYOR OF JOHN CUMMINS AS A MEMBER OF THE AIRPORT COMMISSION, AND APPROVING AND CONFIRMING SAID APPOINTMENT.**

Mayor Kellogg advised the members that Mr. Cummins currently serves on the Airport Commission and that he has been doing an excellent job. Mayor Kellogg further advised the members that the Airport Commission has approved the appointment.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-18**

**RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE PURPOSE OF ACQUIRING GRANT FUNDS FOR AIRPORT IMPROVEMENTS, 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. Cumston moved to suspend the rules of council with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-19**

**RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION, DIVISION OF AVIATION, AIRPORT IMPROVEMENT MATCHING GRANT PROGRAM (ODOT AIMGP) FOR THE PURPOSE OF ACQUIRING GRANT FUNDS FOR AIRPORT IMPROVEMENTS, 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. Cumston moved to suspend the rules of council with Dr. Arndt seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

Held

City Hall Council Chambers at 7:30 p.m. on April 24, 2000, Page Five

(YEAR)

**RESOLUTION NO. 2000-20****RESOLUTION SETTING FORTH THE COUNCIL'S INTENT TO HOLD CERTAIN REGULAR MEETINGS OF COUNCIL AT VARIOUS LOCATIONS WITHIN THE MARION COMMUNITY AND ADOPTING A SCHEDULE OF THE "COUNCIL TO COMMUNITY" MEETINGS, AND DECLARING AN EMERGENCY.**

President Kochheiser advised the members of the dates for the meetings. Mrs. Davis inquired as to council's meeting at OSUM. Dr. Arndt advised the members that OSUM is a part of the community and would be a nice place to hold council.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

*IT IS NOTED THAT THIS ITEM WAS NOT PROPERLY ADDED TO THE AGENDA. Therefore the matter was reconsidered as follows:*

Dr. Arndt moved to add this item to the agenda, Mr. Cumston seconded and Mr. Hatch provided the third. By a verbal vote all members voted in approval.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**ORDINANCE NO. 2000-56****ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE ADAMS STREET SIDEWALK PROJECT 99-2M 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. Cumston moved to suspend the rules of council with Dr. Arndt seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-57****ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, AND ADVERTISE FOR BIDS FOR THE SUGAR STREET PAVEMENT IMPROVEMENTS, PROJECT 99-2P, AND DECLARING AN EMERGENCY.**

Held City Hall Council Chambers at 7:30 p.m. on April 24, 2000, Page Six

(YEAR)

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-58**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO AGREEMENT WITH PLASTALL SERVICE CO. FOR THE PAINTING OF LINCOLN PARK POOL 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. Cumston moved to suspend the rules of council with Dr. Arndt seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-59**

**ORDINANCE AMENDING ORDINANCE 1969-29, COMMONLY KNOWN AS THE YARGER REPORT, TO ESTABLISH THE POSITION OF COMMUNICATIONS COORDINATOR WITHIN THE MARION CITY POLICE DEPARTMENT AND PROVIDING A JOB DESCRIPTION THEREFORE.**

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 further advised that this item was budgeted and no new appropriations would be needed.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-60**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PURCHASE A DEMONSTRATOR MODEL J.C.B. TRACTOR THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM, TRADE-IN (1) MODEL 4240 CASE TRACTOR, FOR USE AT THE MARION MUNICIPAL AIRPORT AND DECLARING AN EMERGENCY.**

Held City Hall Council Chambers at 7:30 p.m. on April 24, 2000, Page Seven

(YEAR)

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Cumston moved to amend the ordinance to reflect RECO instead of Harvey. Dr. Arndt seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-61**

**ORDINANCE AUTHORIZING THE APPROPRIATION OF FUNDS FOR PURCHASING AND INSTALLATION OF AN OHIO HISTORICAL SOCIETY MARKER TO BE LOCATED AT THE MARION MUNICIPAL AIRPORT.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Cumston further advised that this marker would signify and recognize the families that lost there land to the Federal Government under imminent domain.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-62**

**ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH MANSFIELD ASPHALT PAVING COMPANY, INC. FOR THE LINCOLN PARK PARKING LOT PROJECT FOR THE CITY OF MARION AND DECLARING AN EMERGENCY.**

Mayor Kellogg advised the members that this legislation was needed to complete the paving for the Lincoln Park Parking Lot. Dr. Arndt inquires as to how many bidders submitted bids. Mayor Kellogg advised that there were four.

Mr. Schertzer moved to add Resolution No. 2000-20 and Ordinance No. 2000-62. President Kochheiser advised the members that each matter would be addressed separately. Mrs. Davis provided the second for Ordinance No. 2000-62 with Mr. Cumston providing the third vote required. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED ORDINANCE NO. 2000-62 ADDED TO THE AGENDA.

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

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

0063

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held City Hall Council Chambers at 7:30 p.m. on April 24, 2000, Page Eight, \_\_\_\_\_

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

AT THIS TIME, PRESIDENT KOCHHEISER MOVED TO RESOLUTION NO. 2000-20.

**Correspondence** - None

**Matters not on the Agenda** - Mayor Kellogg thanked McCoy Landscaping and West Coast Signs for the signage located at all entrances into Marion. The persons who participated in the Saturday Clean Up were thanked for all of their work and efforts.

**Committee Dates** -

Jobs & Economic Development - Tuesday, May 16, 2000 @ 5:30 p.m.

To discuss the CDBG Funds - Public Hearing

Finance - Monday, May 1, 2000 @ 6:30 p.m. - Regular Business

Traffic Commission - Monday, May 1, 2000 @ 6:00 p.m. - Fairpark Traffic

Streets & Sewers - Monday, May 1, 2000 @ 6:45 p.m. - Spec & Bid for Resurfacing.

Zoning & Annexation - Monday, May 1, 2000 @ 5:30 p.m. - Olde Town Marion.

All meetings to be held in the Community Room.

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



Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL



Cathy A. Chaffin  
CLERK OF COUNCIL

Held City Hall Council Chambers at 7:30 p.m. on May 4, 2000 (YEAR)  
**SPECIAL MEETING OF COUNCIL**

ROLL CALL – Six Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Dr. Arndt, Mr. Schertzer.

Dr. Arndt moved to excuse the absent members, Mrs. Peters, Mrs. Davis and Mrs. Pinnick. Mr. Schertzer seconded. By a verbal vote all members voted in approval.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ABSENT MEMBERS EXCUSED.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

Dr. Arndt moved to go into recess with Mr. Schertzer seconding. By a verbal vote all members voted in approval. At 7:32 p.m. President Kochheiser declared that Council stands in recess. At 7:48 p.m. President Kochheiser called the meeting back in session. President Kochheiser stated that Mrs. Pinnick had arrived.

**RESOLUTION NO. 2000-21**

**RESOLUTION AMENDING RESOLUTION 2000-20, IN PART, TO SPECIFICALLY PROVIDE FOR THE COUNCIL MEETING OF MAY 8, 2000 TO BE HELD IN CITY COUNCIL CHAMBERS AS OPPOSED TO THE OHIO STATE UNIVERSITY, MARION CAMPUS, AND DECLARING AN EMERGENCY.**

Mr. Thomas moved to suspend rule 55 of council with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED RULE 55 OF COUNCIL SUSPENDED.

Mr. Thomas moved to suspend the rule 56 of council with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED RULE 56 OF COUNCIL SUSPENDED.

Mr. Thomas moved to adopt with Mr. Cumston seconding.

*Discussion:* Dr. Arndt advised that with OSUM being on strike, it would be unfair to cross the picket line and that several members of council would not cross the picket lines. He further advised that he hopes that the contract does get resolved quickly and that maybe at a later date council can take the meeting to OSUM. Mr. Thomas advised the members that the local has a tentative agreement and if at some time there is an agreement he would support moving the meeting back. Mr. Hatch advised the members that he supports the local and he would also agree to come back at a later date.

Mr. John Woodlaw, 376 Nunin Court, advised the members that he is the Union Steward for Local 4701. He further stated that he did receive the latest proposal and no new funds have been provided for. He thanked the members of council for not meeting at OSUM during this time but did encourage council to come after there was a contract. Mr. Cumston thanked Mr. Woodlaw for attending and stated that he did hope that things would get worked out. He further stated that he supports a fair wage and wished the local luck in resolving the matter.

The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

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

  
Cathy A. Chaffin  
CLERK OF COUNCIL

  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

0065

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10146

Held City Hall Council Chambers at 7:30 p.m. on May 8, 2000

(YEAR)

ROLL CALL – Eight Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Mrs. Peters moved to excuse Dr. Arndt with Mr. Cumston seconding. By a verbal vote all members voted in approval.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED DR. ARNDT EXCUSED.

PRAYER – The Lord's Prayer was led by President Kochheiser.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes of April 24, 2000 and May 4, 2000 special meeting and if there were any additions or corrections.

Mr. Cumston moved to accept with Mr. Hatch seconding. By a verbal vote all members voted in approval.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR APRIL 24, 2000 AND MAY 4, 2000 APPROVED.

*Old Business*

**ORDINANCE NO. 2000-47**

**ORDINANCE TO VACATE A PARTIAL 15 FOOT WIDE EAST-WEST ALLEY BETWEEN 202 NORTH GRAND AVENUE AND 210 NORTH GRAND AVENUE IN THE CITY OF MARION.**

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

Mr. Thomas advised the members that his position on the vote would be what the Residents want and therefore he would be voting no. Mr. Thomas moved to adopt with Mr. Hatch seconding. The roll call vote was: YEAS: Mr. Hatch, Mrs. Peters, Mrs. Pinnick, Mrs. Davis NAYS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mr. Schertzer. There being a tie vote, President Kochheiser voted NAY.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE DEFEATED.

**ORDINANCE NO. 2000-50**

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

The legislation's title received its third reading. There was a 3-0 vote from the Legislation, Codes & Regulations Committee to place on the agenda. Mr. Schertzer advised the members that this legislation would allow the Chair of the Finance Committee to call the meeting on any night they choose. He further stated that this would give the flexibility as the other committee chairs have. Mr. Thomas advised the members that he would vote for this measure but would ask the chair to take into consideration their distinguished colleagues party meetings. Mr. Hatch advised the members that he felt all City Council Meetings should be on the same night and would be voting in favor of this legislation.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-52**

**ORDINANCE AMENDING PORTIONS OF MARION CITY CODE SECTION 943 PART NINE - STREETS AND PUBLIC SERVICES CODE TO PROVIDE FOR COST OF LIVING ADJUSTMENTS WITHIN THE SANITATION FEE SCHEDULE FOR SENIOR CITIZENS AND DISABLED PERSONS.**

Held City Hall Council Chambers at 7:30 p.m. on May 8, 2000, Page Two

(YEAR)

The legislation's title received its first reading. President Kochheiser advised that this matter was brought back from committee revised and forwarded to council. There was a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Russell advised the members that event though there were small adjustments and that this would be a first reading and that it would be necessary to suspend the rules.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Thomas moved to adopt with Mr. Hatch seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

*New Business*

**ORDINANCE NO. 2000-63**

**ORDINANCE MAKING ADDITIONAL APPROPRIATION IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Thomas seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-64**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS, ADVERTISE FOR BIDS, AND ENTER INTO CONTRACT FOR THE 2000 STREET RESURFACING PROGRAM, PROJECT 00-1R, 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 and a 3-0 vote from the Finance Committee to place on the agenda. Mr. Thomas advised the members that this legislation would pave 29 streets in need of repair.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

DISCUSSION: Mr. Cumston commended the administration for the good job on streets.

The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

Held City Hall Council Chambers at 7:30 p.m. on May 8, 2000, Page Three

(YEAR)

**ORDINANCE NO. 2000-65**

**ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE A CERTAIN EASEMENT, SPECIFICALLY DESCRIBED HEREIN, AND APPROPRIATING THE NECESSARY FUNDS 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. Cumston advised the members that information was pending from Mr. Russell. Mr. Russell advised the members that the documents have been signed and that section two of the ordinance would need to be amended to add the appropriation amount. Mr. Cumston requested a copy which was provided by Mr. Russell. Mrs. Davis inquired as to where to amend. Mr. Russell advised under section two of the ordinance. President Kochheiser inquired as to whether or not it would be appropriate to adopt. Mr. Russell advised that the procedure would be for council to direct the clerk to make the change and that the proper amendment would be to delete the words "the necessary funds" and add "the amount of \$30,000.00".

Mr. Cumston moved to amend with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis NAYS: Mr. Hatch, Mr. Schertzer.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-66**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ADVERTISE "REQUEST FOR PROPOSALS AND QUALIFICATIONS" FOR MAINTENANCE OF AIRPORT NAVIGATION SYSTEMS, 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. Cumston advised this was a spec and bid.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-67**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH KRAMER IMPLEMENT FOR THE PURCHASE OF A 15 FT. MOWER FOR USE IN THE LANDFILL MONITORING 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. Cumston moved to suspend the rules of council with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer NAYS: None.

Held City Hall Council Chambers at 7:30 p.m. on May 8, 2000, Page Four

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-68**

**ORDINANCE AMENDING ORDINANCE 1969-29, COMMONLY KNOWN AS THE YARGER REPORT, TO ESTABLISH THE POSITION OF AIRPORT MAINTENANCE DIRECTOR II, AND TO PROVIDE A JOB DESCRIPTION THEREFORE, AND FURTHER TO MODIFY THE JOB DESCRIPTION OF AIRPORT MAINTENANCE DIRECTOR FOR THE CITY OF MARION.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Thomas inquired as to the Airport Maintenance director and if they were losing the job description of the Airport Director I. Mr. Steve Pyles, Human Resources Director advised that they were not losing any descriptions and that there was a new description for the II and the ordinance amends the current Maintenance Director to a I.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Hatch seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-69**

**ORDINANCE TO AMEND THE TRAFFIC CONTROL MAP BY INSTALLING A THREE WAY STOP AT BERMUDA AND EASY STREET.**

Mr. Cumston moved to add Ordinance No. 2000-69. Mr. Schertzer seconded and Mr. Thomas provided the third necessary to add the item to the agenda.

The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

Mr. Thomas moved to suspend the committee report of council with Mr. Hatch seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mr. Schertzer NAYS: Mrs. Davis.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE COMMITTEE REPORT OF COUNCIL SUSPENDED.

Mrs. Davis inquired as to whether or not a traffic study had been completed. Mr. Carlyle advised that he did and that the count was 37 vehicles for one half hour. He further advised that the State requires 500 cars per hour to warrant a stop sign and therefore this would be unwarranted and recommended denial of the ordinance. Mr. Hatch inquired as to the time of the traffic study. Mr. Carlyle advised from 12:39 p.m. to 1:09 p.m. Mr. Thomas, Chair of the Traffic Commission advised the members that there was a survey completed by the Community Policing and of the 30 residents surveyed, 28 would like to see a stop sign, 2 that had no comment other than more enforcement. Mr. Thomas further advised that it has always been his opinion that whatever the neighborhood wants they get. Mr. Carlyle advised that he understood the residents concerns however he strongly pointed out that he is not in favor of the signs. Mr. Thomas advised that he strongly disagreed with the opinion when the residents are calling for the sign.

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

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

0069

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 16148

Held City Hall Council Chambers at 7:30 p.m. on May 8, 2000, Page Five

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**Correspondence** - None

**Matters not on the Agenda** - None

**Committee Dates** -

Jobs & Economic Development - Tuesday, May 16, 2000 @ 5:30 p.m.

To discuss the CDBG Funds - Public Hearing

Tuesday, May 30, 2000 @ 5:30 p.m. to discuss CDBG

Thursday, June 1, 2000 @ 5:30 p.m. to discuss CDBG in Council Chambers

Finance - Monday, May 16 2000 @ 6:30 p.m. - Regular Business

All meetings to be held in the Community Room unless otherwise designated.

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

*Cathy A. Chaffin*

Cathy A. Chaffin  
CLERK OF COUNCIL

*Keith A. Kochheiser*

Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

0070

# RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held \_\_\_\_\_, \_\_\_\_\_ (YEAR)

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held City Hall Council Chambers at 7:30 p.m. on May 22, 2000 (YEAR)

ROLL CALL – Seven Members Answered – Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer.

Mrs. Blevins moved to excuse Mr. Cumston and Mrs. Pinnick with Dr. Arndt seconding. By a verbal vote all members voted in approval.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED MR. CUMSTON AND MRS. PINNICK EXCUSED.

PRAYER – The Invocation was led by Pastor David Carlyle, Fite Memorial Baptist Church.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes of May 8, 2000 and if there were any additions or corrections.

Mr. Thomas moved to accept with Mrs. Davis seconding. The role call vote was: YEAS: Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR MAY 8, 2000 APPROVED.

New Business

**ORDINANCE NO. 2000-70**

**ORDINANCE MAKING ADDITIONAL APPROPRIATION IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

Mr. Thomas moved to suspend the rules of council with Mr. Hatch seconding. The role call vote was: YEAS: Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Thomas moved to adopt with Mr. Hatch seconding. The role call vote was: YEAS: Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-71**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS THE PURCHASE OF ONE USED TANDEM AXLE DUMP TRUCK FOR USE AT THE LANDFILL 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. Thomas moved to suspend the rules of council with Mr. Hatch seconding. The role call vote was: YEAS: Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Thomas moved to adopt with Mrs. Blevins seconding. The role call vote was: YEAS: Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

Held

City Hall Council Chambers at 7:30 p.m. on May 22, 2000, Page Two

(YEAR)

**ORDINANCE NO. 2000-72****ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH J & J RENOVATIONS FOR DEMOLITION OF 233 LEADER STREET, 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. Thomas advised the members that the subject property was a burned out home on Leader Street.

Mr. Thomas moved to suspend the rules of council with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Thomas moved to adopt with Mr. Hatch seconding. The role call vote was: YEAS: Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-73****ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO SELL BY PUBLIC AUCTION A 1976 FORD E250 VAN, A 1979 CHEVY SUBURBAN, AND A 1988 GMC SUBURBAN THAT ARE NO LONGER NEEDED IN THE OPERATION OF THE CITY, 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. Thomas moved to suspend the rules of council with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mrs. Blevins moved to adopt with Mrs. Peters seconding. The role call vote was: YEAS: Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-74****ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH NORTHWEST POOLS, INC. FOR THE PURCHASE OF A AUTOMATIC CHEMICAL CONTROLLER FOR USE AT THE LINCOLN PARK POOL 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. Thomas moved to suspend the rules of council with Mrs. Blevins seconding. The role call vote was: YEAS: Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mrs. Blevins moved to adopt with Mrs. Peters seconding. The role call vote was: YEAS: Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-75****ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT, WITH EASTERN MAINTENANCE AND RESTORATION FOR THE TUCK POINTING OF YOUTH CENTER PHASE 1 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.

**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 May 22, 2000, Page Five, \_\_\_\_\_ (YEAR)

Mr. Brookes advised the members that he attended the building codes meeting to obtain special permission to construct a floating slab for garages. He advised he currently uses the same specs for each garage as does Bullock. He further advised the members that he would like to see some change in the Code so that contractors would not need to attend a meeting each time for the same matter.

Mr. Schertzer advised that he would be holding a Legislation, Codes and Regulations meeting on June 1, 2000 and asked Mr. Brookes to attend such meeting.

Mr. Russell, Law Director advised the members that a proposal should be drafted from the Building Codes Committee for Legislation, Codes and Regulations to consider.

Dr. Arndt inquired as to Bullock Garage if they are approved by lot and not on individual projects. Mr. Brookes advised that was the case. Dr. Arndt inquired as to whether or not they could give a blanket approval. Mr. Osborn advised that Bullock is using the same plan for each garage.

Mr. Brookes advised the members that he does see the need for the building code but told of a story where a person did not get the proper permits, was forced to dump a load of concrete because there was no permit. He advised the members that in a case such as this he would like to see some leniency and that the fees be reduced.

Dr. Arndt advised the members that he has received nothing but positive comments about the Merchant Avenue project but in the undedicated park there is a port-a-pot that was left there. If this could be removed it would be greatly appreciated.

Mrs. Davis inquired as to the status on the Sound System. President Kochheiser advised that most of the equipment is in but one additional piece has yet to come. He further advised that this should be in by the next council meeting.

Mr. Thomas questioned why the copy of the Civil Service Rules that he received from the Law Director and the copy that Mr. Hatch received were different. Mr. Russell advised that he is not sure what copy Mr. Hatch received but he would review and advise.

**Committee Dates** –

Jobs & Economic Development –

Thursday, June 1, 2000 @ 5:30 p.m. to discuss CDBG in Council Chambers  
Legislation, Codes & Regulations – Thursday, June 1, 2000 @ 6:00 p.m. to discuss  
Floating Slabs and a Liquor Permit.

Finance – Monday, June 5, 2000 @ 6:30 p.m. – Regular Business

Traffic Commission – Monday, June 5, 2000 @ 6:00 p.m. – Blaine & Columbia  
signage and Delaware and Walnut traffic flow.

All meetings to be held in the Community Room unless otherwise designated.

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



Cathy A. Chaffin  
CLERK OF COUNCIL



Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

DAYTON LEGAL BLANK, INC. FORM NO. 1914H

Held Marion Catholic High School, Cafeteria at 7:30 p.m. on June 12, 2000 (YEAR)

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

Mr. Cumston moved to excuse Mr. Hatch with Mr. Thomas seconding. By a verbal vote all members voted in approval.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED MR. HATCH EXCUSED.

PRAYER – President Kochheiser led the Lord's Prayer.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes of May 22, 2000 and if there were any additions or corrections.

Mr. Cumston moved to accept with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR MAY 22, 2000 APPROVED.

*New Business*

**ORDINANCE NO. 2000-80**

**ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE CHIP GRANT FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-81**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MARION AUTO SALES FOR THE PURCHASE OF ONE (1) 1997 FORD E350 TWELVE (12) PASSENGER CLUB WAGON TO BE USED IN THE MARION CITY RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY.**

The legislations title received its first reading. There was a 3-0 recommendation from the Finance Committee to place on the Agenda. Mr. Cumston advised the members that this was a budgeted item under capital improvements.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

Marion Catholic High School, Cafeteria at 7:30 p.m. on June 12, 2000, Page Two  
Held \_\_\_\_\_ (YEAR)

**ORDINANCE NO. 2000-82**

**ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH J & J RENOVATIONS FOR DEMOLITION OF 508 TOLEDO AVENUE IF THE HOUSE IS NOT DEMOLISHED BY JUNE 23, 2000, AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 3-0 recommendation from the Finance Committee to place on the Agenda. Mr. Cumston advised the members that there was a date certain in the ordinance and inquired if Mr. Osborn has had any contact with the property owners. Mr. Osborn advised that he did have contact with the Estate and they are to have this property demolished prior to June 23, 2000.

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, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

**Discussion:** Mr. Schertzer advised the members that he is glad to see that something is being done about these particular types of properties.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-83**

**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 FUNDS AND ADMINISTER THE GRANT, AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. President Kochheiser advised the members that there was a correction to the agenda referencing the public hearing for today, the public hearing is to be held on June 26, 2000. There was a 3-0 recommendation from the Jobs & Economic Development Committee to place on the Agenda for a first reading. Mr. Schertzer thanked Evelyn Warr-Cummings from Regional Planning for her help with the CDBG Grant. Mr. Schertzer advised that there are certain areas that the funds can be used and certain projects that can be done with the grant and that Evelyn has made the process go smoothly.

Dr. Arndt advised that he hoped the members would look at this ordinance closely and review the projects listed in the ordinance. He further advised that he felt the sidewalk projects were good.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

**Correspondence** - None

**Matters not on the Agenda** - Mrs. Jean Obenour of 865 Lorie Valley Drive, Marion inquired of the members if there would be any way to install a stop sign on Loire Valley due to the increased traffic as a thoroughfare. Mr. Thomas advised that he would like to see a traffic study completed and that he would place this item on the Traffic Commission Agenda in July.

President Kochheiser asked the members to stay after the meeting for training on the new sound equipment.

Held Marion Catholic High School, Cafeteria at 7:30 p.m. on June 12, 2000,  
Page Three (YEAR)

Mrs. Davis inquired of Mr. Caryer the rules and regulations for pedestrians walking in the middle of the road. Mr. Caryer advised that pedestrians are not allowed to impede the flow of traffic and they are to walk on the sidewalks if available and if not, they are to walk on the side of the road facing traffic.

**Committee Dates -**

Finance - Tuesday, June 20, 2000 @ 6:30 p.m. - Regular Business and Budget Discussion.

Traffic Commission - Monday, July 3, 2000 @ 6:00 p.m. - Loire Valley drive Stop Sign issue.

All meetings to be held in the Community Room unless otherwise designated.

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

Keith A. Kochheiser  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

Cathy A. Chaffin  
Cathy A. Chaffin  
CLERK OF COUNCIL

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Fairpark Baptist Church at 7:30 p.m. on June 26, 2000

(YEAR)

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

PRAYER – The Invocation was led by Reverend Kenneth Durtsche, Fairpark Baptist Church.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes of June 12, 2000 and if there were any additions or corrections.

Mr. Cumston moved to accept with Mr. Schertzer seconding. By a verbal vote all members voted in approval.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR JUNE 12, 2000 APPROVED.

Old Business

**ORDINANCE NO. 2000-83**

**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 FUNDS AND ADMINISTER THE GRANT, AND DECLARING AN EMERGENCY.**

The legislation's title received its second reading. There was a 3-0 vote from the Legislation Codes and Regulations Committee to approve.

**PUBLIC HEARING** - President Kochheiser opened this matter for public hearing. Mr. Lengieza advised the members that this was the last chance for comments on the CDBG and that he would be willing to answer any questions posed.

There being no persons to speak in favor or against the project **PRESIDENT KOCHHEISER CLOSED THE PUBLIC HEARING.**

Mr. Hatch moved to amend reducing the skateboard park project to \$25,000.00, add the \$5,000.00 to the sidewalk projects, remove the Garden Street Project and give \$10,000.00 to the Palace Theatre. Dr. Arndt seconded.

Discussion: Mrs. Davis inquired as to the total number. Evelyn Warr-Cummings from Regional Planning advised that the total grant is \$197,000.00. Mr. Russell inquired as to whether or not the Palace would be able to obtain the additional funds needed. The spokesperson on behalf of the Palace advised that they would be able to obtain the additional funds needed.

Mr. Gary Deeter advised the members that he was opposed to removing the \$5,000.00 from the skateboard park. "Why should kids pay for sidewalks?" Dr. Arndt advised that it was his suggestion to remove \$5,000.00 from the skateboard park as the original amount approved was \$25,000.00. Dr. Arndt further advised that it is unfortunate that everyone does not get what they need. Mr. Thomas further advised that the original amount was \$25,000.00. He further advised Mr. Deeter that this council has always been youth oriented and that this grant targets low income areas and he is fully in support of the amendment. Mr. Deeter inquired as to the total budget for the skateboard park. Jeannie Brewer advised the members that the total project was \$50,000.00 with over \$20,000.00 already raised.

Mr. Paul Geissler advised that he was not aware of where the sidewalks are that are listed in the grant, however, he suggested that sidewalks be installed on Fairwood Avenue.

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Harding High School at 7:30 p.m. on July 10, 2000 (YEAR)

ROLL CALL – Seven Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer.

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

PRAYER – President Kochheiser led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes of June 26, 2000 and if there were any additions or corrections.

Mr. Cumston moved to accept with Mr. Schertzer seconding. The Role Call Vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR JUNE 26, 2000 APPROVED.

*New Business*

**RESOLUTION NO. 2000-22**

**RESOLUTION APPROVING AND ADOPTING THE BUDGET OF THE CITY OF MARION, OHIO FOR THE YEAR 2001, 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. Cumston advised the members that this was a preliminary budget and that at this time the budget is 1.5 million out of balance but the budget would be in balance before December. Mr. Cumston moved to suspend the rules of council with Mr. Schertzer seconding. The Role Call Vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The Role Call Vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-23**

**RESOLUTION ESTABLISHING THE D.R.I.P. PARK FUND.**

The legislations title received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Cumston gave a special thanks to Mr. Hatch, fellow council members and the administration for their work in establishing the DRIP Park. Mr. Cumston further thanked the following individuals and business' for their contributions: Mr. Terry Litteral, Litteral Construction; Mr. Roy Bash, Bash Builders; Mr. Jeff Bryant, Scioto Contracting and Mr. Josh Daniels.

Mr. Cumston moved to suspend the rules of council with Mrs. Davis seconding. The Role Call Vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The Role Call Vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

Held Harding High School at 7:30 p.m. on July 10, 2000, Page Two

(YEAR)

**ORDINANCE NO. 2000-88**

**ORDINANCE AUTHORIZING THE MARION AREA COMMUNITY IMPROVEMENT CORPORATION (CIC) TO ACT ON BEHALF OF THE CITY OF MARION TO EXECUTE A LEASE OF REAL PROPERTY TO THE DKMM SOLID WASTER DISTRICT AND DECLARING AN EMERGENCY.**

The legislations title received its first Reading. There was a 2-0 vote from the Airport, Lands & Buildings Committee to place on the agenda. Mr. Thomas moved to amend the Ordinance to remove the words Airport Industrial Park and replace the words with Marion City Landfill. Mr. Cumston seconded. The Role Call Vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

Mr. Thomas moved to suspend the rules of council with Mr. Schertzer seconding. The Role Call Vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Thomas moved to adopt with Mr. Schertzer seconding. The Role Call Vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**ORDINANCE NO. 2000-89**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH HEISLER'S TRUCK SALES & SERVICE, INC. FOR THE PURCHASE OF ONE USED TANDEM AXLE DUMP TRUCK FOR THE LANDFILL MONITORING 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. Cumston advised that this was a budgeted item. Mr. Cumston moved to suspend the rules of council with Mr. Thomas seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to approve with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-90**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH TJA SOLUTIONS FOR THE PURCHASE OF A FLAME/FURNACE ATOMIC ABSORPTION SPECTROPHOTOMETER TO BE USED AT 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. Cumston advised that this was a budgeted item. Mr. Cumston moved to suspend the rules of council with Mrs. Peters seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to approve with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

Held

Harding High School at 7:30 p.m. on July 10, 2000, Page Three

(YEAR)

**ORDINANCE NO. 2000-91****AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE VARIOUS FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Cumston moved to suspend the rules of council with Mrs. Peters seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to approve with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-92****ORDINANCE AUTHORIZING AND DIRECTING THE LAW DIRECTOR OF THE CITY OF MARION, OHIO TO MAKE BIDS FOR THE PURCHASE OF CERTAIN REAL ESTATE KNOWN AS PARCELS 12-323000-5800 AND 12-323000-5600 AND ENTER INTO CONTRACT.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Cumston advised the members that these parcels were currently not in the City of Marion's name and that to clear title the parcels needed to be purchased at the foreclosure. President Kochheiser advised that these parcels were previously given to the City of Marion but were never recorded in the 1980's. Mr. Cumston advised that one parcel was located in a ditch and the other was in the 3<sup>rd</sup> ward.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to approve with Mrs. Peters seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-93****AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Cumston moved to suspend the rules of council with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to approve with Mrs. Peters seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-94****ORDINANCE AUTHORIZING THE MARION AREA COMMUNITY IMPROVEMENT CORPORATION (CIC) TO ACT ON BEHALF OF THE CITY OF MARION TO EXECUTE A LEASE OF CERTAIN REAL PROPERTY AT THE MARION AIRPORT INDUSTRIAL PARK AND DECLARING AN EMERGENCY.**

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

000087

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Harding High School at 7:30 p.m. on July 10, 2000, Page Four

(YEAR)

The legislation title received its first reading. There was a 2-0 vote from the Airport, Lands & Buildings Committee to place on the agenda. Mr. Thomas advised that there is a company that wants to locate at the Airport Industrial Park which would create approximately 75 jobs paying \$12 to \$15 per hour. Mr. Cumston advised that this is a good project and solid company and that he would be happy to have them locate in Marion.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Thomas moved to approve with Mr. Cumston seconding. Mr. Russell advised the members that the ordinance would need to be amended prior to voting to add the name of the company to the body of the ordinance. The Mayor advised that the administration is not reading to release the name of the company due to continued negotiations. Mr. Russell advised the members that it would be best to withdraw the motion and second to adopt and reconsider the suspension of the rules.

Mr. Thomas withdrew his motion to adopt with Mr. Cumston withdrawing the second. Mr. Thomas moved to reconsider with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE SUSPENSION OF THE RULES FAILED AND THAT THE LEGISLATION HAS RECEIVED ITS FIRST READING.

**Correspondence** - None

**Matters not on the Agenda** - President Kochheiser recognized the students in the audience. One of the students inquired as to why the members suspended the Rules of Council. President Kochheiser advised the students that the reasons for the suspension was to dispense with the three readings requirements. Mr. Schertzer thanked the student for his question. Mr. Cumston advised that not only does it dispense with the three readings of a piece of legislation but it also affected the Referendum Process.

Mrs. Peters thanked Harding High School for hosting the meeting of council.

**Committee Dates** -

Finance - Monday, July 18, 2000 @ 6:30 p.m. - Regular Business.

Traffic Commission - August 7, 2000 @ 6:00 p.m. - Loire Valley drive traffic matter.

Jobs & Economic Development - Tuesday, July 18, 2000 @ 6:00 p.m. - Downtown Revitalization.

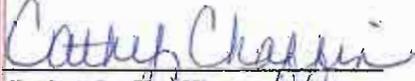
Streets & Sewers - Tuesday, July 18, 2000 @ 7:00 p.m. - Barks Road Project enter into Contract.

Legislation Codes & Regulations - Tuesday, July 18, 2000 @ 6:00 p.m. - Stock Transfer Permit and Council Rule 70

All meetings to be held in the Community Room unless otherwise designated.

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

  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

  
Cathy A. Chaffin  
CLERK OF COUNCIL

DAYTON LEGAL BLANK, INC., FORM NO. 10146

Held Marion City Hall – Council Chambers at 7:30 p.m. on July 18, 2000 (YEAR)

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

PRAYER – President Kochheiser led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

**ORDINANCE NO. 2000-94**

**ORDINANCE AUTHORIZING THE MARION AREA COMMUNITY IMPROVEMENT CORPORATION (CIC) TO ACT ON BEHALF OF THE CITY OF MARION TO EXECUTE A LEASE OF CERTAIN REAL PROPERTY AT THE MARION AIRPORT INDUSTRIAL PARK AND DECLARING AN EMERGENCY.**

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. Mr. Thomas moved to amend the Ordinance to add the name of the company Sakamura and moved to amend the ordinance to reflect a lease/purchase option. Mr. Cumston seconded.

Discussion on the Amendment:

Mr. Stover advised that there has been discussions with Sakamura and that they are close to an agreement. However, he explained that during the negotiations and as late as today he received a call from the attorneys in Columbus representing Sakamura which advised that they wanted the lease/purchase option. Mr. Stover also advised that the Airport Commission voted 5-1 in favor of the option. He further advised that he first became aware that someone advised Sakamura they could have the lease/purchase option, but that he did not advise them of that during the negotiations.

Dr. Arndt advised the members that he opposed the purchase option in the ordinance because he would hate to lose control of the property at the Airport Industrial Park. Dr. Arndt also inquired as to whether or not Mr. Russell was involved in the negotiations and if the City has the first option to refuse in the event of a sale. Mr. Stover advised that it is standard in the agreement that the City would have the first option to refuse at the rate of \$50,000.00.

Mr. Schertzer inquired as to whether or not this would break the deal if council did not vote for the lease/purchase option. Dr. Arndt also inquired on option. Mr. Stover advised that it would be a deal breaker but he is comfortable with the option.

Mr. Schertzer advised that with this change it makes this issue more complicated. Dr. Arndt advised that he would like to send a message loud and clear to whomever advised this company that a lease/purchase option was not going to be the standard and that they should not be offering such terms without seeking council input.

Dr. Arndt inquired as to whether or not the company will be asking for tax abatements. Mr. Ken Lengieza advised they were seeking an abatement of 50% from the County. Mr. Thomas inquired as to how close we are to a deal. Mr. Stover advised that he is very close. Mr. Thomas inquired as to whether or not it would be best to have a second reading and once there is a deal to have the council review it then. Mr. Stover advised that they want to order the building on the 19<sup>th</sup> and they need this ordinance passed to obtain the financing. Mr. Thomas stated that we don't have a deal yet but they are wanting to order a building. Mayor Kellogg advised that is correct and if they don't get a deal for Marion they will go somewhere else.

Mr. Cumston inquired as to 1) what effect this would have on the deal and 2) what are the Mayors feelings about the company and the agreement. Mayor Kellogg advised that this was on the fast track and that he is in favor of the deal.

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Marion City Hall - Council Chambers at 7:30 p.m. on July 18, 2000

(YEAR)

Dr. Arndt inquired as to who signs the agreement. Mayor Kellogg advised that CIC signs and he also signs. Mr. Stover advised that the airport director and assistant director must also sign the agreement.

Dr. Arndt advised that he is sure that Mr. Stover has done a good job in negotiating but that he is dealing with a group of lawyers who deal with land acquisition and that he would feel more comfortable in having the law director or outside counsel involved from the start.

Mr. Stover advised that Mr. Russell has reviewed the boiler plate document along with Mr. Bartram. Dr. Arndt advised that he could have voted for the amendment without the purchase option but that he would be voting against the amendment.

Mr. Russell advised the members that there is an additional amendment that would need to be made. The amendment needed would be to change the section 3 from the General Fund to the Airport Industrial Park Fund. Mr. Thomas moved to add the amendment to the current amendment. Mr. Cumston seconded.

Mr. Tom Clark, 130 Merchant Avenue spoke to the members. He advised the members that he currently sits on the Airport Commission and he was the one no vote. He advised the members that the purchase option was offered too soon in the negotiations and that he urged council to take his concerns into consideration.

Rosalee Marvin inquired as to the environmental cleanup and who would need to pay for it.

Mr. Ken Lengieza advised that the cleanup is already being done and that this plant would not add to the problems. He also advised the members that this was not anything new on the purchase option. He advised that a lease was initially looked at to stimulate growth but that the purchase option was given to MOPAC after twelve years of leasing.

The roll call vote on the amendments were: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, NAYS: Dr. Arndt, Mr. Schertzer.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

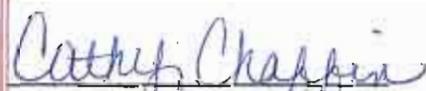
Mr. Thomas moved to approve with Mr. Cumston seconding. Mr. Thomas advised the members that we have to have faith in the people that did the negotiations.

The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

President Kochheiser adjourned the meeting.

  
 Mr. Keith A. Kochheiser  
 PRESIDENT OF COUNCIL

  
 Cathy A. Chaffin  
 CLERK OF COUNCIL

Held Oakland United Methodist Church at 7:30 p.m. on July 24, 2000 (YEAR)

ROLL CALL – Eight Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Mr. Cumston moved to excuse Dr. Arndt with Mrs. Peters seconding. By a verbal vote all members voted in approval.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED DR. ARNDT EXCUSED.

PRAYER – President Kochheiser led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Cumston moved to accept the Summary of Proceedings for July 10, 2000 with Mr. Schertzer seconding. By a Verbal Vote all members voted in approval.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR JULY 10, 2000 APPROVED.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Cumston moved to accept the Summary of Proceedings of the Special Council Meeting held July 18, 2000 with Mrs. Pinnick seconding. By a Verbal Vote all members voted in approval.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR JULY 18, 2000 APPROVED.

Mr. Cumston moved to add Resolution No. 2000-27 to the agenda with Mr. Schertzer seconding and Mr. Hatch providing the third. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED RESOLUTION NO. 2000-27 ADDED TO THE AGENDA.

Mr. Cumston moved to add Ordinance No. 2000-100 to the agenda with Mr. Schertzer seconding and Mr. Hatch providing the third. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED ORDINANCE NO. 2000-100 ADDED TO THE AGENDA.

**New Business:**

**RESOLUTION NO. 2000-24**

**RESOLUTION APPROVING THE MAYOR TO APPLY FOR, AND IF AWARDED, ENTER INTO AGREEMENT TO ADMINISTER A D.A.R.E. GRANT THROUGH THE OFFICE OF THE OHIO ATTORNEY GENERAL AND DECLARING AN EMERGENCY.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

**RECORD OF PROCEEDINGS**  
**MARION CITY COUNCIL**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Oakland United Methodist Church at 7:30 p.m. on July 24, 2000, Page Four

Held \_\_\_\_\_

(YEAR)

**ORDINANCE NO. 2000-99**

**ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

The legislations title received its first reading. There was a 3-0 recommendation from the Finance Committee to place on the Agenda. Mr. Cumston advised that these funds would assist in the weed and blight control throughout the City.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**RESOLUTION NO. 2000-27**

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR CY 2001 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 FAIR ASSISTANCE PROGRAM AND EXECUTING A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION UPON GRANT APPLICATION APPROVAL.**

The legislations title received its first reading. Mayor Kellogg advised the members that legislation was for the 2001 funding for the buses and that the application is due September 1, 2000.

Mr. Cumston moved to suspend the Committee Report with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE COMMITTEE REPORT SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-100**

**ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE SANITARY SEWER IMPROVEMENT FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

The legislations title received its first reading. Mr. Cumston advised that this ordinance was an appropriation of the funds for Resolution No. 2000-26.

Mr. Cumston moved to suspend the Committee Report with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Mrs. Davis, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE COMMITTEE REPORT SUSPENDED.

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

Held Oakland United Methodist Church at 7:30 p.m. on July 24, 2000, Page Five

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**Correspondence** - None

**Matters not on the Agenda** - Mr. Richard Morrison of 762 Sheridan Road advised the members that he is concerned with the speeding coming from Bellefontaine onto Sheridan Road. He advised that many of the cars travel at the rate of 40 mph in a 15 mph zone. Mr. Morrison inquired as to what can be done. Mr. Thomas called upon Chief Bell to inquire if the traffic trailer could be moved into the location. Chief Bell advised that the trailer would be moved to the location.

Rosalee Marvin, 490 Toledo Avenue spoke to the members regarding animal control. She advised the members that there are several wild and exotic animals in the City. Ms. Marvin advised that people need to be able to call somewhere for these types of problems. Ms. Marvin discussed different breeds of exotic animals and the potential dangers with rabies and other diseases. She further urged the members to hire an animal control officer.

President Kochheiser advised that this matter would be referred to the Municipal Services, Parks & Recreation Committee. Mr. Cumston advised that this was not a new problem and this matter would be discussed further in committee.

Mr. Charles Martin, 840 Forest Lawn Drive spoke regarding the Marion General Hospital Lease. He advised the members that he felt the lease was in limbo. Mr. Martin spoke of two letters from attorneys stating that the existing lease had been violated and inquired as to why there was no action by council.

Mr. Thomas inquired of Mayor Kellogg as to what letters Mr. Martin may be referring to as he had not seen these letters other than the older ones. Mayor Kellogg advised that he does have the two letters but in the letters there are no clear cut violations. Mr. Thomas advised that he would like to see the letters. Mayor Kellogg advised that there was nothing new and that Mr. Thomas had already seen the letters. Mr. Thomas advised he thought that this was something new.

President Kochheiser thanked the church for hosting the meeting.

**Committee Dates** -

Finance - Monday, August 7, 2000 @ 6:30 p.m. - Regular Business.

Traffic Commission - August 7, 2000 @ 6:00 p.m. - Loire Valley drive traffic matter.

Jobs & Economic Development - Tuesday, August 22, 2000 @ 7:00 p.m. -

Downtown Revitalization.

All meetings to be held in the Community Room unless otherwise designated.

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

  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

  
Cathy A. Chaffin  
CLERK OF COUNCIL

**RECORD OF PROCEEDINGS**  
**MARION CITY COUNCIL**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Glenwood Elementary School at 7:30 p.m. on August 14, 2000

(YEAR)

ROLL CALL – Eight Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED MRS. PINNICK EXCUSED.

PRAYER – President Kochheiser led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mrs. Davis moved to accept the Summary of Proceedings for July 24, 2000 with Mr. Schertzer seconding. By a Verbal Vote all members voted in approval.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR JULY 24, 2000 APPROVED.

**New Business:**

**ORDINANCE NO. 2000-101**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR GROUNDWATER SAMPLE ANALYSIS AT THE MARION CITY LANDFILL.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-102**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE PLANS AND SPECIFICATIONS AND ADVERTISE FOR BIDS FOR FUEL, ASPHALT, AND ROAD PAINT.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Osborn and Mr. Russell advised the members that there was a typographical error in the body of the ordinance. The error being semi-annual and should read bi-annual. Mr. Russell advised that no amendment was needed to correct the error.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

Held Glenwood Elementary School at 7:30 p.m. on August 14, 2000, Page Two

(YEAR)

**ORDINANCE NO. 2000-103**

**ORDINANCE FURTHER AMENDING ORDINANCE 1969-29 (KNOWN AS THE YARGER REPORT) REAFFIRMING THE RELEVANT PARTS OF ORDINANCE 1994-28 AMENDING SECTION 5 OF ORDINANCE 1994-127 AND REAFFIRMING 1996-63 IN ORDER TO CONTINUE THE PREVIOUSLY ADOPTED PROCEDURE FOR GRANTING AUTOMATIC WAGE RANGE CHANGES IN THE PAY GRADES OF EMPLOYEES IN VARIOUS CLASSES OF POSITIONS EXEMPT FROM BARGAINING UNITS (REFERRED TO AS NON-BARGAINING) WITHIN THE SERVICE OF THE CITY OF MARION AND HEREIN ADOPTING A PROCEDURE FOR INCREASING NON-BARGAINING EMPLOYEES' PARTICIPATION COSTS FOR HEALTH CARE BENEFITS, AND DECLARING AN EMERGENCY.**

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

Mr. Cumston advised the members that a first reading was requested to allow ample time for notice to be given the employees. Mr. Cumston further advised that the Healthcare Cost increase for non-bargaining employees would be \$1.50 per pay for a single plan and \$2.00 per pay for a family plan. He further advised that the cost was averaged by Mr. Steve Pyles, Human Resources Director.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-104**

**ORDINANCE MAKING APPROPRIATION ADJUSTMENTS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-105**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH OPEN SOFTWARE SOLUTIONS, INC. (COMPUTER AIDED DISPATCH SYSTEM), WATSON FURNITURE SYSTEMS (DISPATCH FURNITURE UNIT), BENDER COMMUNICATIONS, INC. (RADIO CONSOLES), AND CINCINNATI FLOORING COMPANY (ACCESS FLOORING SYSTEM), FOR THE NEW COMBINED DISPATCH CENTER AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 2-0 recommendation from the Finance Committee to place on the Agenda. Mr. Cumston advised the members that the Department had been working on the estimates for some time now. A special thanks was given to Chief Bell and Major Robbins for all the hard work they put into the project. Mr. Cumston advised that the estimates came in \$70,000.00 under the original estimates. He further advised that the new combined dispatch center would be a tremendous asset for the services provided to the community.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

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Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Glenwood Elementary School at 7:30 p.m. on August 14, 2000, Page Three

Held

(YEAR)

Mr. Cumston moved to adopt with Mrs. Davis seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-106. ORDINANCE MAKING APPROPRIATION ADJUSTMENTS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**Correspondence** - None

**Matters not on the Agenda** - Mr. Sulu Kelly of 285 W. Columbia Street, Marion inquired as to the status of the skateboard park. Mayor Kellogg advised that all of the funds are in to construct the park and that currently the project is in the design phase. Mayor Kellogg further advised that once the design phase has been completed the construction phase will begin.

**Committee Dates** -

August 22, 2000

5:30 p.m. Zoning and Annexation

6:00 p.m. Traffic - Loire Valley Traffic Matter

6:30 p.m. Finance - Regular Business.

7:00 p.m. Jobs & Economic Development - Downtown Revitalization

7:15 p.m. Legislation, Codes & Regulations

7:30 p.m. Streets & Sewers - ODOT Resurfacing and G & G Homes Plat

7:45 p.m. Municipal Services, Parks & Recreation - Parking Enforcement Unit and Animal Control.

All meetings to be held in the Community Room unless otherwise designated.

President Kochheiser thanked Glenwood Elementary for hosting the meeting.

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

  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

  
Cathy A. Chaffin  
CLERK OF COUNCIL

Held Marion City Hall – Council Chambers at 9:30 p.m. on August 23, 2000 (YEAR)

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Davis, Mr. Schertzer.

Mayor Kellogg was out of town and President Kochheiser was serving as Acting Mayor. President Pro Tempore, Michael Thomas presided over the meeting.

PRAYER – President Thomas led the invocation.

PLEDGE OF ALLEGIANCE – President Thomas led the pledge to the United States Flag.

**ORDINANCE NO. 2000-107**

**ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO O.R.C. 4928.20 AND DIRECTING THE MARION COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS OF THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.**

The legislation title received its first reading. There was a 3-0 recommendation from the Public Utilities Committee to place on the Agenda.

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

WHEREUPON, PRESIDENT THOMAS DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT THOMAS DECLARED THE ORDINANCE ADOPTED.

Mr. Schertzer thanked Mr. Nagy from First Energy for coming to council to explain the deregulation. Mr. Schertzer further advised that he personally was skeptical of the issue but if there could be a savings he was for placing the legislation on the ballot. Mr. Schertzer also inquired as to the thoughts of the Administration.

Mr. Osborn advised that in consultation with Mayor Kellogg, he had no problems with the issue.

President Kochheiser advised the members that he spoke with Mayor Kellogg last evening and advised that Mayor Kellogg was in favor of allowing the people of the city to have input.

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



Mr. Michael Thomas  
PRESIDENT PRO TEMPORE  
OF COUNCIL



Cathy A. Chaffin  
CLERK OF COUNCIL

**RECORD OF PROCEEDINGS**  
**MARION CITY COUNCIL**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Marion City Hall – Council Chambers at 7:30 p.m. on August 28, 2000

(YEAR)

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

PRAYER – Father Klima, St. Mary's Church led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS FOR AUGUST 14, 2000 – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Cumston moved to accept the Summary of Proceedings for August 14, 2000 with Mr. Hatch seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR AUGUST 14, 2000 APPROVED.

SUMMARY OF COUNCIL PROCEEDINGS FOR SPECIAL MEETING HELD AUGUST 23, 2000 – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mrs. Davis moved to accept the Summary of Proceedings for July 24, 2000 with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR AUGUST 23, 2000 APPROVED.

President Kochheiser advised the members that Mayor Kellogg has added Resolution No. 2000-30 to the agenda and that this Resolution would be placed on the agenda as item number 3 under new business.

**Old Business:**

**ORDINANCE NO. 2000-103**

**ORDINANCE FURTHER AMENDING ORDINANCE 1969-29 (KNOWN AS THE YARGER REPORT) REAFFIRMING THE RELEVANT PARTS OF ORDINANCE 1994-28 AMENDING SECTION 5 OF ORDINANCE 1994-127 AND REAFFIRMING 1996-63 IN ORDER TO CONTINUE THE PREVIOUSLY ADOPTED PROCEDURE FOR GRANTING AUTOMATIC WAGE RANGE CHANGES IN THE PAY GRADES OF EMPLOYEES IN VARIOUS CLASSES OF POSITIONS EXEMPT FROM BARGAINING UNITS (REFERRED TO AS NON-BARGAINING) WITHIN THE SERVICE OF THE CITY OF MARION AND HEREIN ADOPTING A PROCEDURE FOR INCREASING NON-BARGAINING EMPLOYEES' PARTICIPATION COSTS FOR HEALTH CARE BENEFITS, AND DECLARING AN EMERGENCY.**

The legislations title received its second reading. There was a 2-0 recommendation from the Finance Committee to place on the Agenda. Mr. Cumston advised the members that there is an offer to amend the Ordinance to add section D on page two and section D on page four. Mr. Cumston moved to amend with Dr. Arndt seconding.

Dr. Arndt inquired as to the notice to employees of the proposed change. Mr. Steve Pyles advised that a notice has been inserted into the paychecks of the employees and he has had no responses.

The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE AMENDMENT ADOPTED.

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

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

Council Chambers at 7:30 p.m. on August 28, 2000, Page Two

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED AS AMENDED.

**New Business:**

**RESOLUTION NO. 2000-28**

**RESOLUTION AUTHORIZING THE CITY AUDITOR TO ADVANCE UP TO \$25,000.00 TO THE STATE HIGHWAY IMPROVEMENT 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. Cumston moved to suspend the rules of council with Dr. Arndt seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-29**

**RESOLUTION ACCEPTING THE TERMS AND CONDITIONS IMPOSED BY THE STATE DEPARTMENT OF TRANSPORTATION FOR THE STATE ROUTE 95/95DA/309/309DA OR 3.450 OF PAVING.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee and 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 role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-30**

**RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A COPS GRANT APPLICATION, AND IF AWARDED, AUTHORIZING HIM TO ENTER AN AGREEMENT TO PARTICIPATE WITH SAID GRANT PROGRAM INCLUDING RETENTION REQUIREMENTS AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. Mr. Cumston moved to suspend the Committee consideration with Mr. Hatch seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE COMMITTEE CONSIDERATION SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

**RECORD OF PROCEEDINGS  
MARION CITY COUNCIL**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10149

Held Council Chambers at 7:30 p.m. on August 28, 2000, Page Three

(YEAR)

Mr. Cramer advised the members that under the grant requirements the police officer would need to be added for an additional year after the grant ends and that said costs for the officer would be approximately \$93,600.00. Mr. Cramer further advised that the ordinance designating the number of officers from 55 to 56.

Mr. Cumston inquired as to whether or not this was included in the Budget for the FY2001. Mr. Osborn advised that they did not include this in the budget, however, the officer under the current grant has been working within the schools and he further advised that he would be approaching the schools to see if they were able to help fund the officer. Mr. Cumston inquired of Chief Bell if he had an officer in mind for the position. Chief Bell advised that there is Patrolman Graff is currently employed under the current grant which expires in two weeks and he would be the officer that they would like to have in place. Dr. Arndt stated that this would be a 45% match and that it would certainly be worthwhile to approve this.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**ORDINANCE NO. 2000-108**

**ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MARION BY REZONING THE PROPERTY AT 225 – 225 ½ W. PLEASANT STREET IN THE CITY OF MARION OHIO FROM C-1A (NEIGHBORHOOD SHOPPING DISTRICT) TO AN R-3 (MULTI-FAMILY 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.

PUBLIC HEARING: There were no proponents or opponents.

Mr. Osborn advised that this matter came before City Planning several years ago to change the zoning from residential to commercial. The City Planning voted against the re-zoning and council overruled the recommendations. Mr. Osborn further advised that the City Planning did vote in favor of taking the property back to a residential zoning and recommended approval.

There being no further discussion, President Kochheiser closed the Public Hearing.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-109**

**ORDINANCE DECLARING THE CITY OF MARION'S SUPPORT FOR A DOWNTOWN ADMINISTRATOR/MANAGER, INCLUDING BUT NOT LIMITED TO FINANCIAL SUPPORT IN ORDER TO FACILITATE THE COMMUNITIES EFFORTS TO REVITALIZE THE DOWNTOWN AREA.**

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. Schertzer thanked the members of the Downtown Economic Development Committee for their work. Mr. Schertzer moved to amend the ordinance to include that the Chairman of the Jobs & Economic Development Committee shall serve as a member of the Board. Mr. Thomas seconded.

Held Council Chambers at 7:30 p.m. on August 28, 2000, Page Four

(YEAR)

The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

Mr. Schertzer moved to refer to the Finance Committee with Mrs. Peters seconding.

The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE REFERRED TO THE FINANCE COMMITTEE.

#### **ORDINANCE NO. 2000-110**

#### **ORDINANCE CREATING MARION CITY CODE SECTION 137.19 PARKING ENFORCEMENT UNIT UNDER THE DIVISION OF POLICE CHAPTER OF THE MARION CITY CODE AND DECLARING AN EMERGENCY.**

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 advised that this position would be added with no additional expenses due to the utilization of current staff. Mr. Cumston thanked the Administration and Mr. Osborn for their hard work.

Mr. Cumston moved to suspend the rules of council with Mr. Schertzer seconding.

Mr. Schertzer advised the members that he agreed with Mr. Cumston and advised that he spent time speaking with downtown business' there are time limits on the parking but if there is no enforcement it is meaningless. Mr. Schertzer further advised that this should take care of this concern.

The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

#### **ORDINANCE NO. 2000-111**

#### **ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE SCMR FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

#### **ORDINANCE NO. 2000-112**

#### **ORDINANCE ACCEPTING THE PLAT OF G & G HOMES, INC., OF 26 LOTS, NUMBERED 1 THROUGH 26 OF FAIR PARK 20<sup>TH</sup> ADDITION TO THE CITY OF MARION, OHIO, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 14, T-5-S, R-15-E, CITY OF MARION, COUNTY OF MARION, STATE OF OHIO, AND CONFIRMING THE DEDICATION OF THE STREETS THEREIN SHOWN, 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 noted that this was the last addition to Fairpark that was first started in 1956.

Held Council Chambers at 7:30 p.m. on August 28, 2000, Page Five (YEAR)

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-113**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH PARK ENTERPRISE, INC., FOR THE ADAMS STREET SIDEWALK IMPROVEMENTS, PROJECT 99-2M FOR THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.** The legislations title received its first reading. There was a 3-0 vote from the Finance Committee and from the Streets & Sewers Committee to place on the agenda. Mr. Cumston noted that this was one of the many sidewalk projects to be done in the City.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-114**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO EXECUTE A CHANGE ORDER TO THE 2000 STREET RESURFACING PROJECT IN ORDER TO INCLUDE THE RESURFACING OF A PARKING LOT AT SAWYER-LUDWIG PARK, 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. Cumston advised that this was a good addition to the park.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-115**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PURCHASE A XEROX ENGINEERING COPIER FOR THE ENGINEERING DEPARTMENT, AND TO TRADE IN THE EXISTING COPIER IN THE SAID 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. Cumston moved to suspend the rules of council with Mrs. Peters seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Held

Council Chambers at 7:30 p.m. on August 28, 2000, Page Six

(YEAR)

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-116**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO SELL/TRADE A 1983 FORD TRACTOR MODEL 1900 WITH LOADER TO KRAMER IMPLEMENT OF MARION, OHIO THAT IS NO LONGER NEEDED IN THE WATER POLLUTION CONTROL DEPARTMENT.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-117**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PURCHASE A USED 13 FOOT LAND PRIDE MOWER DECK FROM LEMKE SALES AND SERVICE, FOR USE AT THE MARION MUNICIPAL AIRPORT.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-118**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH WENIG'S HEATING AND COOLING SYSTEMS FOR THE INSTALLATION OF A HVAC SYSTEM AT FIRE STATION #1 HAVING FOUND A REAL AND PRESENT EMERGENCY EXISTS WITHIN THE DIVISION OF PUBLIC SAFETY PURSUANT TO O.R.C. 735.051 AND DECLARING SAME AN EMERGENCY.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

Mr. Thomas advised the members that he spoke with the Engineer and Mr. Carlyle advised the members that he has received two quotes and the low quote came from Underground Utilities at \$117,043.40.

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(YEAR)

Mr. Thomas further advised that this quote came in lower than anticipated and that the reason for this legislation was due to another project being completed under grant monies and that in committee this was an unforeseen problem at the time of entering into contract for the other project. There was a 3-0 vote from the Streets & Sewers Committee to forward on to council.

**ORDINANCE NO. 2000-119**

**ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTACT WITH UNDERGROUND UTILITIES FOR THE REPLACEMENT OF THE SANITARY SEWER AND STORM WATER SEWER LOCATED UNDERNEATH SUGAR STREET WITHIN THE CITY IN CONCERT WITH THE PREVIOUSLY APPROVED PROJECT FOR SIDE WALK AND STREET REPLACEMENT OF THE SAME STREET FINDING A REAL AND PRESENT EMERGENCYH EXISTS WITHIN THE DIVISION OF PUBLIC SAFETY PURSUANT TO O.R.C. 735.051 AND DECLARING AN EMERGENCY.**

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee and the Streets & Sewers Committee.

Mr. Russell advised the members that the ordinance is properly before council, however, before there would be a Motion to Suspend or Adopt, Mr. Cramer would need to complete section 2 of the ordinance with the appropriate numbers.

Mr. Cramer advised the members that the funds are incorrect on the ordinance and they would need to be changed from Storm Sewer Improvement Fund to the Storm Water Utility Fund and the amount is \$63,226.50. The second line reading Sanitary Sewer Improvement Fund should be changed to the Sewer Replacement Fund. However, Mr. Cramer noted that the funds available are inadequate to complete the offer price. Mr. Cramer advised that there should be a transfer signed by the Finance Committee. The amount available in the fund is currently \$47,090.10.

Mr. Russell advised that council can go ahead and appropriate the available funds and do the transfer during the next finance committee.

Mr. Cramer advised that he could get the transfer form and have the Committee sign the transfer this evening.

Dr. Arndt questioned that if the funds were not available to cover the offer by Underground Utilities, would the contract be valid. Mr. Russell advised that the contract can only be entered into for the amount available until the transfer of funds could be approved.

Mayor Kellogg suggested that the transfer be prepared and signed this evening so there would be no questions as to the validity of the contract.

Mr. Cumston advised that after the committee consideration it was understood that the Ordinance would be in the current form and would be completed prior to adoption.

After discussion regarding the transfer, Dr. Arndt moved to recess for five minutes while the transfer is drafted for signatures with Mrs. Pinnick seconding. By a verbal vote all members voted in approval.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED COUNCIL IN RECESS.

COUNCIL RECONVENES:

Mr. Cramer advised the members that the transfer has been signed and would be entered into the official records on Tuesday, September 5, 2000 Finance Meeting.

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

Held Council Chambers at 7:30 p.m. on August 28, 2000, Page Eight

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Thomas seconding.

Mr. Russell noted for clarification from the Clerk that the Ordinance has been amended. President Kochheiser confirmed the amendment was adopted. Mr. Russell further restated the amendment and advised the members that the transfer has not been officially approved, however, that it is not uncommon for the transfer to be signed and then officially approved during the regular business of the Finance Committee.

Mrs. Chaffin did advised the members that the Ordinance was not amended. The rules of council were suspended and that currently before council was the Motion and Second to adopt.

Mr. Russell advised that the amendment needed to be adopted with the Motion and Second to adopt being withdrawn and the Suspension Motion and Second withdrawn.

Mr. Cumston withdrew his Motion to Adopt with Mr. Thomas withdrawing his second. Dr. Arndt withdrew his Motion to Suspend with Mrs. Davis withdrawing her second.

Mr. Cumston moved to amend with Mr. Hatch seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

Mr. Thomas moved to suspend the rules of council with Mr. Cumston seconding.

Mr. Schertzer wanted to clarify for the record that it appears as if council is acting hastily and that the reasons for doing this for Sugar Street was because the street was set to be resurfaced with CDBG funds when the problem was discovered and that we are taking care of the sewer and coming back with the CDBG monies.

The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Thomas moved to adopt with Dr. Arndt seconding.

Dr. Arndt offered as a follow up to Mr. Schertzer's comment and stated that he does not think that council was acting hasty in getting this done and that council had talked in depth about this issue but maybe we acted hasty in the details.

Mr. Thomas advised that last year this was set to be paved and we have televised this section and found it to be in need of repair. However, Mr. Thomas noted that this has happened once last year where the need arose and a corrective action was needed.

Mr. Russell advised that the only error that could have been made was to not act quickly to repair and advised that the quick actions of council to rectify the problem is good.

Mayor Kellogg advised that in the future they will try to avoid these types of actions by televising the sewer early.

The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED AS AMENDED.

**Correspondence** - Mayor Kellogg advised the members that the City has been awarded \$500,000.00 in CHIP Grant Monies and that they are available. He further advised that if there are any questions to contact Mr. Ken Lengieza at Regional Planning.

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Council Chambers at 7:30 p.m. on August 28, 2000, Page Nine

(YEAR)

President Kochheiser advised the members that in the Cities & Villages page 11 and page 33 there are two articles of interest to the members.

**Matters not on the Agenda** – None.

**Committee Dates** –

September 5, 2000

5:15 p.m. Zoning and Annexation

5:30 p.m. Legislation, Codes & Regulations – Liquor Permit

5:35 p.m. Municipal Services, Parks & Recreation – Roosevelt Park

5:45 p.m. Airport, Lands & Buildings – Community Room Renovations

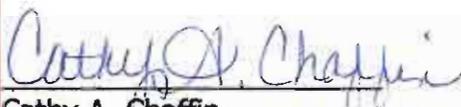
6:00 p.m. Traffic Commission – Marion Avenue; Curren's Sohio

6:30 p.m. Finance – Regular Business

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



Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL



Cathy A. Chaffin  
CLERK OF COUNCIL

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

000109

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held American Legion Hall at 7:30 p.m. on September 11, 2000

(YEAR)

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

Dr. Arndt moved to excuse Mrs. Peters with Mrs. Pinnick seconding. By a verbal vote all members voted in approval.

Whereupon, President Kochheiser declared Mrs. Peters excused.

PRAYER – President Kochheiser led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS FOR AUGUST 28, 2000 – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Cumston moved to accept the Summary of Proceedings for August 28, 2000 with Mr. Hatch seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR AUGUST 28, 2000 APPROVED.

**Old Business:**

**ORDINANCE NO. 2000-109**

**ORDINANCE DECLARING THE CITY OF MARION'S SUPPORT FOR A DOWNTOWN ADMINISTRATOR/MANAGER, INCLUDING BUT NOT LIMITED TO FINANCIAL SUPPORT IN ORDER TO FACILITATE THE COMMUNITIES EFFORTS TO REVITALIZE THE DOWNTOWN AREA AS AMENDED.**

The legislation's title was read into the record. There was a 3-0 vote from the Jobs & Economic Development Committee to place on the agenda. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Schertzer advised the members that this ordinance was on the Council Agenda on August 28, 2000 and forwarded to the Finance Committee to approve. Mr. Cumston advised the members that during the Finance Committee discussions, amendments were discussed. Mr. Cumston further advised that the proposed amendment has been submitted in writing to the members.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE AMENDMENT ADOPTED.

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, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

Mr. Hatch advised the members that his concern with the Ordinance is that the monies proposed are not earmarked to hire the Downtown Manager and that he would like to see that the monies go specifically for the hiring of the Downtown Manager. However, Mr. Hatch advised that if there are assurances from Mayor Kellogg that this would be a part of the stipulations he would be in favor of the Ordinance. Dr. Arndt inquired as to whether or not this could be a part of the contract. Mr. Russell advised that it could. Mayor Kellogg advised the members that he would ensure that stipulation in the contract.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED AS AMENDED.

Held American Legion Hall at 7:30 p.m. on September 11, 2000, Page Two

(YEAR)

**New Business:****RESOLUTION NO. 2000-31**

**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 NORTHEAST OF THE CITY OF MARION, CONTAINING 147.096 ACRES, AND DECLARING AN EMERGENCY.**

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. Russell advised the members that on page 3, section 1 there was a typographical error and that the word sewer would need to be removed. With the correction noted, Mrs. Blevins moved to suspend with Mr. Thomas seconding.

The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-32**

**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 MARION CONTAINING 40.090 ACRES, AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 3-0 vote from the Zoning & Annexation 3-0 to place on the agenda. Dr. Arndt inquired as to whether or not the word sewer was to be a part of this resolution or not. Mr. Russell advised that this annexation did need the sewer. Mr. Cumston inquired as to whether or not any plans had been made to cover the ditch in Fairpark. The administration advised that they were not aware of any plans at this time.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**ORDINANCE NO. 2000-120**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR CITY HALL COMMUNITY ROOM RENOVATIONS.**

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. Mrs. Pinnick advised the members that this was a request to renovate the Community Room. Mr. Schertzer inquired as to the estimated costs. Mr. Osborn advised that the estimates at this time are \$79,000 to \$80,000.

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

Held American Legion Hall at 7:30 p.m. on September 11, 2000, Page Three

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-121**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH VARIOUS VENDORS FOR MATERIALS 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. Cumston advised the members that this ordinance allowed for the purchase of salt, asphalt and fuel as used by the City. Mr. Cumston inquired as to whether or not on the diesel fuel summer blend was available. Mr. Osborn advised that he apologized but he did not have that information available at this time. Mr. Cumston advised that he did do some further checking and believed that the summer blend was probably not available.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-122**

**ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

The legislations title received its first reading. There was a 2-1 vote from the Finance Committee to place on the agenda. Mr. Cumston advised that this item allowed for the additional monies needed to purchase the land not previously transferred in the early 1980's. Mr. Cumston advised the members that it was a good idea to clean up the title to the land for the City.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-123**

**ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE PARKS FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Cumston advised the members that this item was to demolition an old building that needed to be torn down at Sawyer Ludwig Park.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Held American Legion Hall at 7:30 p.m. on September 11, 2000, Page Four

(YEAR)

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-124**

**ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**Correspondence** - None.

**Matters not on the Agenda** - Mrs. Blevins thanked the American Legion Hall, Mr. Jim Blevins and Briana Morgan for their help and assistance in hosting the meeting.

**Committee Dates** -

September 19, 2000

5:30 p.m. Traffic Commission - Delaware & Walnut

5:45 p.m. Streets & Sewers - Purchases items for the Waste Water Treatment Plant

6:00 p.m. Jobs & Economic Development - Kresge Plan

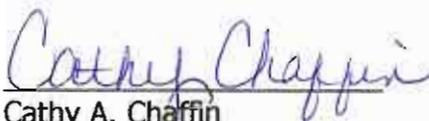
6:30 p.m. Legislation, Codes & Regulations - Recreational Vehicles and Changing the Auxiliary Unit to a Reserve Unit in the Police Department

6:45 p.m. Finance - Regular Business and the discussion of the proposed Tax Code Changes.

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



Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL



Cathy A. Chaffin  
CLERK OF COUNCIL

**RECORD OF PROCEEDINGS**  
**MARION CITY COUNCIL**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10140

Marion City Hall - Council Chambers at 7:30 p.m. on September 25, 2000

Held \_\_\_\_\_

(YEAR)

ROLL CALL – Seven Members Answered – Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer.

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

Whereupon, President Kochheiser declared Mr. Thomas and Mrs. Davis excused.

PRAYER – President Kochheiser led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS FOR SEPTEMBER 11, 2000 – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Hatch moved to accept the Summary of Proceedings for September 11, 2000 with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR SEPTEMBER 11, 2000 APPROVED.

**New Business:**

**ORDINANCE NO. 2000-125**

**ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE GENERAL FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

The legislation title received its first reading there was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Cumston advised that these appropriations were to purchase 32 bulletproof vests for the Police Department and for additional monies needed for Camp Positive.

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

WHEREUPON, PRESIDENT KOCHHEISER 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. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-126**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO AGREEMENT WITH RHODES HEATING AND COOLING INC. OF MARION FOR THE REPLACEMENT OF THE CITY HALL COOLING TOWER, AND DECLARING AN EMERGENCY.**

The legislation title received its first reading there was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Russell noted a clerical error in section 2 of the ordinance that would be corrected by the Clerk.

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

WHEREUPON, PRESIDENT KOCHHEISER 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. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

Held Council Chambers at 7:30 p.m. on September 25, 2000, Page Two

(YEAR)

**ORDINANCE NO. 2000-127****ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH RICHLAND UNIFORM COMPANY FOR THIRTY-TWO (32) BULLETPROOF VESTS FOR THE MARION POLICE 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. Cramer advised that the ordinance reflected incorrect account numbers. Mr. Cramer advised that the account numbers should read under the matching grant, 101.111 and that the additional number should read 101.1111.510140.

Dr. Arndt moved to amend the ordinance to reflect the correct account numbers with Mrs. Peters seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER 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. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED. Committee 2-0)

**ORDINANCE NO. 2000-128****ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH QUETEL CORPORATION FOR THE PURCHASE OF ONE AUTOMATED BAR CODE EVIDENCE TRACKING SYSTEM FOR USE IN THE MARION POLICE 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. Cumston advised that these appropriations were to purchase 32 bulletproof vests for the Police Department and for additional monies needed for Camp Positive.

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

WHEREUPON, PRESIDENT KOCHHEISER 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. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-129****ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SPAANS BABCOCK, INC. FOR THE PURCHASE OF THREE (3) OPEN SUBMERGED BEARING SCREW PUMPS; HEADWORKS, INC FOR THE PURCHASE OF TWO (2) MECHANICAL BAR SCREENS, AND HENRY PRATT CO., FOR THE PURCHASE OF FOUR (4) SLUICE GATES TO BE USED AT THE WATER POLLUTION CONTROL PLANT AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading there was a 2-0 vote from the Finance Committee and a 3-0 vote from the Streets and Sewers Committee to place on the agenda. Mr. Feldmann advised the members that in conjunction with the loan application he is requesting a first reading at this time.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

Held Council Chambers at 7:30 p.m. on September 25, 2000, Page Three

(YEAR)

**ORDINANCE NO. 2000-130**

**ORDINANCE AMENDING MARION CITY CODE SECTION 137.14 AUXILIARY UNIT CONTAINED UNDER THE DIVISION OF POLICE CHAPTER OF THE MARION CITY CODE IN ORDER TO ABOLISH THE AUXILIARY UNIT AND REPLACE SAME WITH A RESERVE UNIT AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading there was a 3-0 vote from the Legislation, Codes & Regulations Committee to place on the agenda. Mr. Schertzer advised the members that he has spoke with Officers and they are happy with the change. Mr. Schertzer inquired as to whom would be responsible for the equipment needed. Chief Bell advised that the City would be responsible. Mr. Hatch inquired as to whether or not the reserve unit would be carrying off duty weapons. Chief Bell advised no. Mr. Cumston advised the members that this change would retain employees and is in the best interests of the City.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-131**

**ORDINANCE AMENDING CODIFIED ORDINANCE 193: MUNICIPAL INCOME TAX.**

The legislation's title received its first reading there was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Cumston advised that copies of the proposed changes are available from the Clerk. He further advised that the proposed changes are routine and that if anyone has any questions please contact the clerk. Mr. Schertzer thanked Mr. Moody for all of his hard work and inquired if these changes were required by the Ohio Revised Code. Mr. Moody advised they were.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

**Correspondence** - None.

**Matters not on the Agenda** - Mr. Robert Armstrong of 660 East Fairground Street spoke to the members. Mr. Armstrong advised that his is a new resident to the City and has a proposal for which advocates that the City provide the funds for low to moderate income housing. Mayor Kellogg advised that currently there are no grant monies available for a proposal. Dr. Arndt advised that he felt this matter should be directed to a committee to see what we can do. Mr. Cumston suggested that this should be referred to Jobs & Economic Development. Mr. Schertzer advised that he would talk with Mr. Armstrong and advise.

President Kochheiser advised the members that in the legislative bulletin, there is a section on annexation and the proposed changes. Mr. Russell advised that this would not affect the City at this time.

**Committee Dates** -

October 2, 2000

5:30 p.m. Jobs & Economic Development - Tax Abatement for Sakamura

6:00 p.m. Streets & Sewers - 2001 State Issue II

6:30 p.m. Finance - Regular Business

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 1014B

Held Council Chambers at 7:30 p.m. on September 25, 2000, Page Four, \_\_\_\_\_ (YEAR)

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

Keith A. Kochheiser  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

Cathy A. Chaffin  
Cathy A. Chaffin  
CLERK OF COUNCIL

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Mayes Temple at 7:30 p.m. on October 9, 2000, \_\_\_\_\_ (YEAR)

ROLL CALL – Eight Members Answered – Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Mr. Cumston moved to excuse Mr. Thomas with Dr. Arndt seconding. By a verbal vote all members voted in approval.

Whereupon, President Kochheiser declared Mr. Thomas excused.

PRAYER – Elder Mayes, Mayes Temple led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS FOR SEPTEMBER 25, 2000 – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Cumston moved to accept the Summary of Proceedings for September 25, 2000 with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR SEPTEMBER 25, 2000 APPROVED.

**Old Business:**

**ORDINANCE NO. 2000-129**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SPAANS BABCOCK, INC. FOR THE PURCHASE OF THREE (3) OPEN SUBMERGED BEARING SCREW PUMPS; HEADWORKS, INC FOR THE PURCHASE OF TWO (2) MECHANICAL BAR SCREENS, AND HENRY PRATT CO., FOR THE PURCHASE OF FOUR (4) SLUICE GATES TO BE USED AT THE WATER POLLUTION CONTROL PLANT AND DECLARING AN EMERGENCY.**

The legislation's title received its second reading. There was a 3-0 vote from the Streets & Sewers Committee and a 2-0 vote from the Finance Committee to place on the Agenda. Mr. Cumston advised that in a memo the members received, there would be a meeting of the Streets and Sewers Committee to address the concerns of the EPA and requested that the legislation receive a second reading.

Whereupon, President Kochheiser declared the ordinance received its second reading.

**ORDINANCE NO. 2000-131**

**ORDINANCE AMENDING CODIFIED ORDINANCE 193: MUNICIPAL INCOME TAX.**

The legislation's title received its second reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Cumston advised the members that this ordinance reflected the necessary changes in the statute on the way taxes are collected. He further advised that this does not change the tax rate.

Whereupon, President Kochheiser declared the ordinance received its second reading.

**New Business:**

**RESOLUTION NO. 2000-33**

**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.**

Held

Mayes Temple at 7:30 p.m. on October 9, 2000, Page Two

(YEAR)

The legislation's title received its first reading. There was a 3-0 vote from the Streets & Sewers Committee. Mr. Schertzer moved to suspend the rules of council with Mrs.

Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

#### **RESOLUTION NO. 2000-34**

**RESOLUTION RECOMMENDING THAT THE MARION COUNTY BOARD OF COMMISSIONERS ENTER INTO AN AGREEMENT WITH SAKAMURA USA, INC., FOR THE PURPOSE OF ABATEMENT OF THE REAL PROPERTY AND TANGIBLE PERSONAL PROPERTY TAX ON EQUIPMENT AND INVENTORY AT A MANUFACTURING FACILITY AT KELLOGG PARKWAY, MARION, OHIO TO ENCOURAGE THEM TO ESTABLISH AT THAT SITE, AND DECLARING AN EMERGENCY.**

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. Schertzer advised the members that Mr. Ken Lengieza and Mr. Claborn were present if there were any questions from the members. He further advised that he hopes the next time we hear of Sakamura they are beginning to build at the site and hopes that the kinks are worked out.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Schertzer moved to approve with Mrs. Davis seconding.

Discussion: Dr. Arndt inquired as to whether or not this was the same company that needed council to meet in a special meeting so that they could order the building and begin immediately to go into the Airport. Mr. Stover advised it was. Dr. Arndt also inquired as to the change and determination that the location at the airport was not suitable. Mr. Stover advised it was and that they did not approve the survey and road construction cost caused the change. Dr. Arndt advised the members that he was surprised that the company needed council to act in one day and did not act for five weeks to make a decision to locate at another location. Dr. Arndt expressed his disappointment. Mrs. Blevins inquired as to whether or not they signed a lease with the City. Mr. Stover advised they did but that the contract left three options to void the contract and that this was one of the options.

Mr. Kochheiser inquired as to the status of the repayment for the city's expenses. Mr. Claborn advised that as soon as the secretary returned he would be forwarded the sum to the City.

The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

#### **ORDINANCE NO. 2000-132**

**AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,955,000 FOR THE PURPOSE OF IMPROVING THE CITY STORM WATER SYSTEM BY CONSTRUCTING AND REPLACING STORM WATER SEWERS ON EXECUTIVE DRIVE, LITTLETON STREET, KENTUCKY AVENUE, MICHIGAN AVENUE, FLEETWOOD AVENUE, VAN BUREN STREET, JEFFERSON STREET, RICHLAND ROAD, CHURCH**

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Mayes Temple at 7:30 p.m. on October 9, 2000, Page Three

Held

(YEAR)

**STREET, CLOVER AVENUE, HOMER STREET, KENSINGTON PLACE, MERCHANT AVENUE, SPENCER STREET, BARTRAM AVENUE, AVONDALE AVENUE, BARKS ROAD EAST, CATALINA DRIVE, REED AVENUE, MCKINLEY LAKE AND OAKLAND BOULEVARD DITCH, BETWEEN CERTAIN TERMINI, TOGETHER WITH ALL NECESSARY APPURTENANCES 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. Cumston advised that this legislation will bond out the notes sold. Mr. Cramer advised that this would be a savings over the term of the notes in the approximate amount of 27½ %.

Mr. Cumston moved to suspend the rules of council with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

The Clerk of Council read into the record the following:

FISCAL OFFICER'S CERTIFICATE

To the Council of the City of Marion, Ohio:

As fiscal officer of the City of Marion, I certify in connection with your proposed issue of bonds in the maximum principal amount of \$4,955,000 (the Bonds) to be issued for the purpose of improving the city storm water system by constructing and replacing storm water sewers on Executive Drive, Littleton Street, Kentucky Avenue, Michigan Avenue, Fleetwood Avenue, Van Buren Street, Jefferson Street, Richland Road, Church Street, Clover Avenue, Homer Street, Kensington Place, Merchant Avenue, Spencer Street, Bartram Avenue, Avondale Avenue, Barks Road East, Catalina Drive, Reed Avenue, Mckinley Lake and Oakland Boulevard Ditch, between certain termini, together with all necessary appurtenances (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 40 years, being my estimate of the life or period of usefulness of that improvement.

Signed Robert C. Cramer, Auditor, City of Marion, Ohio dated October 9, 2000.

Mr. Cumston moved to adopt with Mrs. Pinnick seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-133**

**AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,685,000 FOR THE PURPOSE OF IMPROVING THE CITY SANITARY SEWER SYSTEM BY CONSTRUCTING NEW SANITARY SEWER LINES, MANHOLES AND LIFT FOR CHURCH STREET, CLOVER AVENUE, HOMER STREET, KENSINGTON PLACE, MERCHANT AVENUE, SPENCER STREET, BARTRAM AVENUE, AVONDALE AVENUE, VERNON HEIGHTS BOULEVARD, BARKS ROAD EAST AND REED AVENUE, BETWEEN CERTAIN TERMINI, 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. Cumston moved to suspend the rules of council with Dr. Arndt seconding.

Held

Mayes Temple at 7:30 p.m. on October 9, 2000, Page Four

(YEAR)

The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

The Clerk of Council read into the record the following:

FISCAL OFFICER'S CERTIFICATE

To the Council of the City of Marion, Ohio:

As fiscal officer of the City of Marion, I certify in connection with your proposed issue of bonds in the maximum principal amount of \$2,685,000 (the Bonds) to be issued for the purpose of improving the city sanitary sewer system by constructing new sanitary sewer lines, manholes and lift for Church Street, Clover Avenue, Homer Street, Kensington Place, Merchant Avenue, Spencer Street, Bartram Avenue, Avondale Avenue, Vernon Heights Boulevard, Barks Road East and Reed Avenue, between certain termini (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 40 years, being my estimate of the life or period of usefulness of that improvement.

Signed Robert C. Cramer, Auditor, City of Marion, Ohio dated October 9, 2000.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-134**

**AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,160,000 FOR THE PURPOSE OF PREPAYING, THROUGH A SINGLE LUMP SUM, THE CITY'S ACCRUED LIABILITY TO THE POLICE AND FIREMAN'S DISABILITY AND PENSION FUND OF THE STATE OF OHIO AND AUTHORIZING AN AGREEMENT WITH THE PENSION FUND WITH RESPECT TO THAT LUMP SUM PAYMENT 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. Cramer advised the members that the accrual was incurred by the State's administration of the fund and assessed each City an amount of funds to cover the pensions shortfalls and that the State has passed a bill to allow Cities to pay this in a lump sum at a significant savings.

Mr. Cumston moved to suspend the rules of council with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

The Clerk of Council read into the record the following:

FISCAL OFFICER'S CERTIFICATE

To the Council of the City of Marion, Ohio:

As fiscal officer of the City of Marion, I certify in connection with your proposed issue of bonds in the maximum principal amount of \$1,160,000 (the Bonds) to be issued for the purpose of prepaying, through a single lump sum,

**RECORD OF PROCEEDINGS**  
**MARION CITY COUNCIL**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Mayes Temple at 7:30 p.m. on October 9, 2000, Page Five

(YEAR)

the City's accrued liability to the Police and Fireman's Disability and Pension Fund of the State of Ohio and authorizing an agreement with the Pension Fund with respect to that lump sum payment, that:

1. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is December 31, 2035, being my estimate of the life or period of usefulness of that improvement.

Signed Robert C. Cramer, Auditor, City of Marion, Ohio dated October 9, 2000.

Mr. Cumston moved to adopt with Dr. Arndt seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-135**

**ORDINANCE AMENDING MARION CODIFIED ORDINANCE CHAPTER 911.42 PART C 4 SUBSTANCES LIMITED.**

The legislations title received its first reading. There was a 3-0 vote from the Streets & Sewers Committee to place on the agenda. Mr. Schertzer requested that this Ordinance receive its first reading.

Whereupon, President Kochheiser declared the legislations title received its first reading.

**ORDINANCE NO. 2000-136**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO SELL BY PUBLIC AUCTION VARIOUS VEHICLES THAT ARE NO LONGER NEEDED IN THE DAILY OPERATION OF THE CITY, 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. Cumston advised the members that the auction would take place on October 28, 2000.

Mr. Cumston moved to suspend the rules of council with Mrs. Pinnick seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-137. ORDINANCE AMENDING ORDINANCE 1969-29, COMMONLY KNOWN AS THE YARGER REPORT, AND ORDINANCE NO. 1995-144, BY ESTABLISHING A REVISED JOB DESCRIPTION FOR THE POSITION OF TAX INVESTIGATOR AND BY RECLASSIFYING THE FAIR LABOR STANDARDS ACT (FLSA) STATUS OF SAID POSITION.**

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the Agenda. Mr. Cumston advised that Mr. Cramer and Chris Smith have worked together to allow a greater flexibility of Mr. Cramer's Office.

Mr. Cumston moved to suspend the rules of council with Mr. Schertzer seconding.

Mr. Hatch inquired as to the conflict if any. Mr. Cramer advised that there was no conflict, however, the position is being taken from a non-exempt status to a part of the bargaining unit and therefore that is the reason for the mention of FLSA. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Held Mayes Temple at 7:30 p.m. on October 9, 2000, Page Six, \_\_\_\_\_ (YEAR)

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-138**

**ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the Agenda. Mr. Cumston advised that this appropriation was to cover the increased costs of utilities.

Mr. Cumston moved to suspend the rules of council with Dr. Arndt seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-139**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH BURGESS AND NIPLE, LIMITED FOR THE PURPOSE OF FILING A RAIL GRADE SEPARATION PROGRAM APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE CITY OF MARION, OHIO, APPROPRIATING THE NECESSARY FUNDS, AND DECLARING AN EMERGENCY.**

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

Mr. Cumston moved to amend to appropriate \$1,800 with Dr. Arndt seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

Mr. Cumston moved suspend the rules of council with Mrs. Davis seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mrs. Peters seconding.

Mr. Osborn advised the members that this was an application process for the possibility of receiving two overpasses from the State of Ohio; one being on Kenton Avenue and One on Marion Williamsport Road. Mr. Osborn advised the members of the rating process and how important the applications are to Marion.

The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**Correspondence** - President Kochheiser advised the members that he has received a letter from Kathy Nauman and the residents of Woodrow and Congress Street thanking the City for paving the alley as promised.

RECORD OF PROCEEDINGS  
MARION CITY COUNCIL

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Mayes Temple at 7:30 p.m. on October 9, 2000, Page Seven

(YEAR)

**Matters not on the Agenda -**

Mrs. Margie Temple, 234 North State Street advised the members that she would like to see some help given to the chicken farms and that farmers need to be recognized for their work. Ms. Temple encouraged the members to help the farmers and provide support.

Mr. Robert Floyd, 425 Ballentine advised the members that he has noticed that when a tragedy happens in Marion and a black person is suspected there are front page pictures day after day. He also noted that when the seven year old child was murdered everyday there was a story on the front page of the paper. He also stated that if there is something good going on in the community such as a scholarship being awarded to a student the story is buried.

Dr. Arndt advised that he does not receive the paper, but the newspaper is here this evening and they should be listening. Mrs. Davis advised that she agreed with Mr. Floyd. Mr. Cumston commended Mr. Floyd on speaking before the members and stated that he felt that we as a community need to stand up and tell the Star enough of the bad.

Ms. Vivian Miles, 578 Polk Street advised the members that the jury selection process in our court systems is racial biased. She advised that Jim Slagle does not keep blacks on the jury. She advised that the Prosecutor gets what he wants with Judge Davidson, that being only one black on a jury or no blacks on a jury. She also advised that blacks show up for jury duty but do not stay on as jurors.

President Kochheiser advised Ms. Miles of the jury selection process and how he selects juries and recommended that more blacks become registered to vote so as to have a better chance of sitting on a jury.

Mrs. Mayes, 141 Carhart advised the members that blacks do vote and register. She also advised that she does not understand why only one black sits on a jury. Ms. Miles advised the members how a newspaper person was asleep and the story was not reported as "one black on a jury". She advised that we should be past that (racism). President Kochheiser stated that when he took his oath he swore to lady justice and that lady justice was color blind and that he was color blind to color.

Mr. Robert Yates, 1389 Southland Parkway asked to address the members.

Dr. Arndt moved to allow Mr. Yates to speak with Mr. Hatch seconding. By a verbal vote all members voted in approval.

Mr. Yates advised the members that he felt that Jessie Scott insisted he come to council this evening. He also felt that Ms. Scott should be named Citizens of the year and he thanked the members for civility by the members of council.

Mr. Robert Floyd inquired as to how to get curbs. Mr. Osborn advised Mr. Floyd that on his street when it was first constructed curbs were not required. He also advised that all new streets require curbs to be installed and that best way to get the curbs placed on existing streets is to seek CDBG funds.

Mr. Schertzer thanked those for coming this evening, Elder Mayes and the congregation.

Mrs. Davis advised that the women's guild for Habitat for Humanity will be building this weekend at the Habitat home on Cass and Silver Street if anyone is interested.

Held Mayes Temple at 7:30 p.m. on October 9, 2000, Page Eight, \_\_\_\_\_

(YEAR)

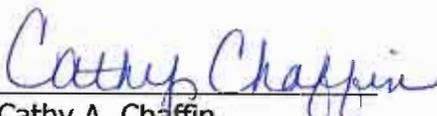
**Committee Dates -**

October 18, 2000

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

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

  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

  
Cathy A. Chaffin  
CLERK OF COUNCIL

**RECORD OF PROCEEDINGS**  
**MARION CITY COUNCIL**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 16148

Held City Hall – Council Chambers at 7:30 p.m. on October 23, 2000

(YEAR)

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

PRAYER – President Kochheiser led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS FOR OCTOBER 9, 2000 – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Cumston moved to accept the Summary of Proceedings for October 9, 2000 with Mrs. Davis seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR OCTOBER 9, 2000 APPROVED.

**Old Business:**

**ORDINANCE NO. 2000-129**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH SPAANS BABCOCK, INC. FOR THE PURCHASE OF THREE (3) OPEN SUBMERGED BEARING SCREW PUMPS; HEADWORKS, INC FOR THE PURCHASE OF TWO (2) MECHANICAL BAR SCREENS, AND HENRY PRATT CO., FOR THE PURCHASE OF FOUR (4) SLUICE GATES TO BE USED AT THE WATER POLLUTION CONTROL PLANT AND DECLARING AN EMERGENCY.**

The legislation's title received its third reading. There was a 3-0 vote from the Streets & Sewers Committee, and a 2-0 vote from the Finance Committee to place on the agenda.

Mr. Schertzer moved to amend the ordinance to add the Whereas Clauses and to add WPLCF. Mr. Cumston seconded the Motion and advised that he would like for Mr. Feldmann to provide the details of the amendment. Mr. Feldmann advised that in discussions with the Ohio EPA, they required additional language to be placed in the Ordinance which referenced the loan versus refinancing. He also advised that the EPA provides for a better interest rate of 4.2%.

The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

Mr. Cumston moved to suspend the committee report with Dr. Arndt seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE COMMITTEE CONSIDERATION SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

Held City Hall – Council Chambers at 7:30 p.m. on October 23, 2000, Page Two

(YEAR)

**ORDINANCE NO. 2000-131**

**ORDINANCE AMENDING CODIFIED ORDINANCE 193: MUNICIPAL INCOME TAX.**

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

Mr. Cumston advised that this legislation would update the tax code and that the changes are minor. He further advised that the Clerk has copies of the changes if anyone would like a copy.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-135**

**ORDINANCE AMENDING MARION CODIFIED ORDINANCE CHAPTER 911.42 PART C 4 SUBSTANCES LIMITED.**

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. Feldmann advised that this legislation would change the discharge allowances with limits.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE LEGISLATION RECEIVED ITS SECOND READING.

**New Business:**

**RESOLUTION NO. 2000-35**

**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. Cumston advised that these are the tax rates for inside millage as provided.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**RESOLUTION NO. 2000-36**

**RESOLUTION CONFIRMING THE APPOINTMENT OF MELANIE K. PAYNE TO AN UNEXPIRED TERM TO SERVE AS A MEMBER OF THE RECREATION BOARD OF THE CITY OF MARION.**

Mayor Kellogg advised that Mr. John Shank has resigned from the Recreation Board and that Melanie Payne is being recommended to replace Mr. Shank. Mayor Kellogg advised that Melaine has been active in the Youth Center and would be a great addition to the board. Jeannie Brewer advised that she recommended Melanie as she would be an active board member.

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

WHEREUPON, PRESIDENT KOCHHEISER 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 October 23, 2000, Page Three

Held

(YEAR)

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-140**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH NEIDHART BROTHERS TRUCKING, INC. FOR LAND APPLICATION OF BIO SOLIDS AT THE WATER POLLUTION CONTROL PLANT 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. Cumston advised the members that during the last finance meeting there were lengthy discussions regarding the spreading and a new spreader. Mr. Feldmann advised that they do have a rental unit to try out for a month and along with the chemical additive, this should alleviate the odor. Mr. Feldmann also advised that currently there is no odor from the test site and that they have added more lime. Mr. Feldmann also advised that there is a good chance of controlling odors and that the contract states limitation clauses.

Mr. Cumston inquired as to the new machine along with Dr. Arndt. Mr. Feldmann advised that it was unclear as to what would suit the purposes of the city with the 200 or 500 from the Brown Bear Co., but that the Brown Bear Company has advised that the 200 would take more man hours versus the 500.

Mr. Thomas inquired as to whether or not we currently have the Brown Bear. Mr. Feldmann advised that they will have this early next week. Mr. Thomas advised that he has concerns as he has had complaints for quite some time over the smell, and that is the purpose for the limit on where it can be applied. Mr. Thomas further advised that he is looking for assurances. Mayor Kellogg advised that he would look at the contract closely and personally watch. Mr. Russell advised that the City can control where it is applied, but that the contract must be specific to include these limitations. Dr. Arndt advised that he would like to see the payback costs of the Brown Bear and that he does receive a few calls and would like to have another reading prior to passage.

Mr. Feldmann advised the members that the bid specs gave the City the ability to limit the application including the locations, but that they will address the problem in the contract. Mr. Russell advised that in the spec and bid process there can be included a spreading boundary and limit – if the contract is left the way it is, it is not as strong. Mr. Schertzer advised that he is concerned with the new process and whether it will work or not. Mr. Feldmann advised that this has been done in other communities and that this would be a Class A process, however, Mr. Feldmann advised that everyone smells different. He told of an example of concrete smell and people holding their noses from the smell. Mrs. Davis inquired as to how long it takes to aerate. Mr. Feldmann advised 9 days, with turning every three days. Mr. Feldmann advised that this does reduce the costs associated with hauling as the water is removed and odor (ammonia) is released. Mrs. Davis inquired as to if this legislation goes three readings, how tight of a situation would that put the WWTP in. Mr. Feldmann advised that he could not say. Mrs. Davis suggested that council wait until after the Brown Bear is in and used for the nine days, and then see if there are any complaints.

Mr. Osborn advised that whether the legislation is passed tonight or not, Neidhart would still be hauling but they would be hauling off of the old contract which does not limit the application. Mr. Osborn advised that the new contract would limit as that is in line with the spec and bid. Dr. Arndt advised that he would like to see this move forward with site restrictions as he believed the Brown Bear will resolve 90% of the problem. Mr. Thomas inquired since the item has already been out for spec & bid is Neidhart willing to work with these restrictions. Mr. Osborn advised that Neidhart know the restrictions as they were written into the specs, and that they understand the City has the right to approve the site application. Mr. Thomas advised as long as the contractor understands the City can control the site application.

Held City Hall – Council Chambers at 7:30 p.m. on October 23, 2000, Page Four

(YEAR)

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-141**

**ORDINANCE MAKING AN ADDITIONAL APPROPRIATIONS IN VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-142**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH BABE CHARAPP FORD FOR THE PURCHASE OF A YEAR 2000 CROWN VICTORIA POLICE INTERCEPTOR PURSUANT TO O.R.C. 125.04 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. Cumston advised that this was to replace a wrecked car and that insurance paid for the vehicle.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-143**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PURCHASE ONE SNOWPLOW FROM BUCKEYE EQUIPMENT FOR USE IN THE PARKS DEPARTMENT AND DECLARING AN EMERGENCY.**

The legislations titled received its first reading. There was a 2-0 vote from the Finance Committee to place on the agenda. Mr. Cumston advised that this was a budgeted item.

Mr. Cumston moved to suspend the rules of council with Mrs. Davis seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, 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 October 23, 2000, Page Five  
Held \_\_\_\_\_, (YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**Correspondence** - None.

**Matters not on the Agenda** – Ms. Rosalee Marvin, 490 Toledo Avenue, Marion, Ohio advised the members that she would like to see the city have the right of way by the old city dump for emergency vehicles to use. Ms. Marvin advised that an incident that took place where an emergency vehicle could not get to a child because of the trains blocking the tracks and would like to see this road open again. Mr. Osborn advised that this would be the old Pendergast Road and that Herr Road is only 1/8 of a mile from the location.

Mr. Hatch advised that one of the problems is getting to that end of town across the tracks and that this would be a way around. Mr. Hatch described that he was advised that it took 40 minutes for an emergency vehicle to get to a little boy who was hit by a car. Mr. Osborn advised that there are some concerns with the capping at the landfill and with the EPA. Mr. Lengieza advised that with the outer belt, that segment is up in the air right now. He also advised that the city would need to sit down with the EPA and at this point that would be premature. However, he did agree with the need but the best option would be for the overpass on Kenton Avenue.

Ms. Marvin advised that this would be a temporary solution just for emergency equipment. Mayor Kellogg advised that they could not use the bridge and that it would be too costly to fix. Dr. Arndt inquired as to the 40 minute response time. Mr. Osborn advised that there was a call in the area between the tracks, but that the mother advised the child did not need treatment. An officer arrived on the scene and determined that the child needed to be checked out. Mr. Osborn advised that there was a delay of approximately 1/2 minute because the tracks were in use.

Mr. Hatch inquired as to whether or not this was Edwards Street. Mr. Osborn advised it was the same one and the mother did not realize the squad was not coming and that he has spoken with the Mother and now she does realize why the squad was not dispatched.

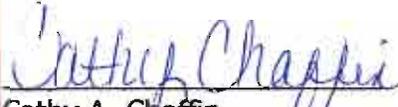
**Committee Dates** –

November 6, 2000

5:45 p.m. Legislation, Codes & Regulations  
6:00 p.m. Airport, Lands & Buildings  
6:30 p.m. Finance Committee  
6:35 p.m. Jobs & Economic Development  
6:40 p.m. Streets & Sewers

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

  
\_\_\_\_\_  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

  
\_\_\_\_\_  
Cathy A. Chaffin  
CLERK OF COUNCIL

Held

City Hall – Council Chambers at 7:30 p.m. on November 13, 2000

(YEAR)

ROLL CALL – Eight Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED MRS. BLEVINS EXCUSED.

PRAYER – President Kochheiser led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS FOR OCTOBER 23, 2000 – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Schertzer moved to accept the Summary of Proceedings for October 23, 2000 with Mr. Hatch seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR OCTOBER 23, 2000 APPROVED.

**Old Business:**

**ORDINANCE NO. 2000-135**

**ORDINANCE AMENDING MARION CODIFIED ORDINANCE CHAPTER 911.42 PART C 4 SUBSTANCES LIMITED.**

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

Mr. Thomas moved to adopt with Mr. Schertzer seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: Dr. Arndt.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**New Business:**

**ORDINANCE NO. 2000-144**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO PURCHASE ONE CLARKE ENCORE S20 FLOOR SCRUBBER FOR USE IN THE RECREATION 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. Cumston advised that this was a budgeted item and that this would be a cost savings on a quality product.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-145**

**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.**

City Hall – Council Chambers at 7:30 p.m. on November 13, 2000, Page Two  
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The legislations title received its first reading. There was a 3-0 vote from the Airport, Lands & Buildings Committee and a 3-0 vote from the Finance Committee to place on the agenda.

Mr. Cumston moved to suspend the rules of council with Mrs. Pinnick seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mrs. Davis seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-146**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH KELLAM AND ASSOCIATES FOR THE PURPOSE OF A SPACE UTILIZATION PLAN FOR THE CITY HALL BUILDING.**

The legislations title received its first reading. There was a 3-0 vote from the Airport, Lands & Buildings Committee to place on the agenda. Mrs. Pinnick advised the members that this matter needs to be referred to the Finance Committee and requested a first reading only.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THIS MATTER REFERRED TO THE FINANCE COMMITTEE AND THAT THE LEGISLATION RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-147**

**ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE CHIP FUND FOR THE YEAR ENDING DECEMBER 31, 2000.**

The legislations title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Cumston advised that this was the appropriation for the CHIP Grant that was awarded to the City. Mr. Cumston requested that the Clerk issue a publication to advise the citizens that the funds were available and that they may contact Regional Planning to apply.

Mr. Cumston moved to suspend the rules of council with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-148**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO EXECUTE A GRANT OF A BUILDING EASEMENT FOR AND ON BEHALF OF THE CITY OF MARION, GRANTING TO THE COUNTY OF MARION THE RIGHT TO USE CERTAIN CITY-OWNED PROPERTY SITUATED IN THE CITY OF MARION, COUNTY OF MARION, STATE OF OHIO, AND BEING ADJACENT TO LOTS 7, 8, 9, 10, 11, AND 12 IN BENNETT AND FISHER'S ADDITION AND THE OUT LOT IMMEDIATELY ADJACENT TO THE WEST OF THESE LOTS.**

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 moved to amend the ordinance to add the Emergency Clause with Dr. Arndt seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

The Ordinance was then read into the record as amended.

Held City Hall – Council Chambers at 7:30 p.m. on November 13, 2000, Page Three

(YEAR)

Mr. Thomas moved to suspend the rules of council with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Thomas moved to adopt with Mrs. Peters seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-149**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO EXECUTE A GRANT OF AN OVERHANG AND LANDSCAPING EASEMENT FOR AND ON BEHALF OF THE CITY OF MARION, GRANTING TO THE BOARD OF COUNTY COMMISSIONERS FOR MARION COUNTY, OHIO, THE RIGHT TO USE CERTAIN CITY-OWNED PROPERTY SITUATED IN THE CITY OF MARION, COUNTY OF MARION, STATE OF OHIO, AND BEING ADJACENT TO LOTS 7, 8, 9, 10, 11, AND 12 IN BENNETT AND FISHER'S ADDITION AND THE OUT LOT IMMEDIATELY ADJACENT TO THE WEST OF THESE LOTS.**

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 advised the members that there were three typos contained within the Ordinance. The first: the description of number two should read Center Street and not Campbell; the second: should read 326.30 instead of 362.30; the final typo last page second to the last line should read grantee not grantor.

Dr. Arndt advised that with the potential cost overages with the County Administration Building, he would like to amend the typos in the ordinance.

Mr. Thomas moved to amend the typos in the ordinance with Mr. Cumston seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

Mr. Thomas moved to amend the ordinance to add the Emergency Clause and to add to the last section the language for landscaping approval by the City. Mr. Cumston seconded. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

The Ordinance was then read into the record as amended.

Mr. Thomas moved to suspend the rules of council with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Thomas moved to adopt with Dr. Arndt seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**Correspondence** - None.

**Matters not on the Agenda** – Mr. Cumston advised the members that in the recent bond rating meeting attended, the City's New Bond Rating has been determined as an A 3. Mr. Cumston thanked Mr. Osborn, Mayor Kellogg and Mr. Cramer for all their work and help in the rating process. Mr. Cumston noted that this would be a savings for the future of the City of Marion.

**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, 2000, Page Four

Held

(YEAR)

**Committee Dates –**

November 20, 2000

6:00 p.m. Public Utilities

6:30 p.m. Finance Committee

6:45 p.m. Zoning &amp; Annexation

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

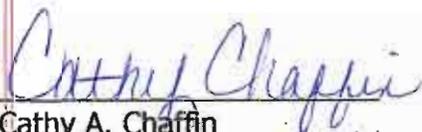
November 22, 2000

4:30 p.m. Streets &amp; Sewers at the Waste Water Treatment Plant.

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



Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL



Cathy A. Chaffin  
CLERK OF COUNCIL

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held

City Hall – Council Chambers at 7:30 p.m. on November 27, 2000

(YEAR)

ROLL CALL – Nine Members Answered – Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

PRAYER – President Kochheiser led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS FOR NOVEMBER 13, 2000 – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Cumston moved to accept the Summary of Proceedings for November 13, 2000 with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR NOVEMBER 13, 2000 APPROVED.

**Old Business:**

**ORDINANCE NO. 2000-146**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH KELLAM AND ASSOCIATES FOR THE PURPOSE OF A SPACE UTILIZATION PLAN FOR THE CITY HALL BUILDING.**

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

Mr. Cumston moved to amend section 2 to read from the Capital Improvement Fund. Dr. Arndt seconded. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**New Business:**

**RESOLUTION NO. 2000-37**

**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 WEST OF THE CITY OF MARION, CONTAINING 12.917 ACRES, AND DECLARING AN EMERGENCY.**

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

Mrs. Blevins moved to suspend the rules of council with Mrs. Peters seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, 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 27, 2000, Page Two

Held \_\_\_\_\_

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-38**

**RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE UP TO \$15,000.00 IN CASH ADVANCES TO THE CHIP GRANT FUND FROM THE GENERAL FUND, 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. Cumston advised the members that this would allow Mr. Cramer to advance funds until such time as the grant monies were received.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**Correspondence** - None.

**Matters not on the Agenda** – President Kochheiser advised the members that he received a question of why matter appeared to be rushed through on council floor. Mr. Kochheiser advised that matters are thoroughly reviewed and discussed during the committee meetings and that the formal actions are taken at the full council meeting.

**Committee Dates** –

December 4, 2000

5:45 p.m. Jobs & Economic Development

6:00 p.m. Streets & Sewers

6:30 p.m. Finance Committee

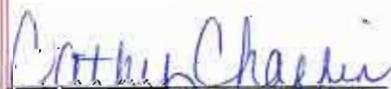
7:15 p.m. Legislation, Codes & Regulations

**SPECIAL GUESTS:**

In attendance were several players and the Coach of the Marion Harding High School Football Team. Mayor Kellogg congratulated the players and presented a Key to the City to the Coach. The players were introduced and a standing ovation was received by the players for the successful season.

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

  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

  
Cathy A. Chaffin  
CLERK OF COUNCIL

Held City Hall – Council Chambers at 7:30 p.m. on December 11, 2000

(YEAR)

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

Mr. Cumston moved to excuse the absent members with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED MR. HATCH AND MRS. PETERS EXCUSED.

PRAYER – President Kochheiser led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS FOR NOVEMBER 27, 2000 – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Cumston moved to accept the Summary of Proceedings for November 27, 2000 with Mrs. Blevins seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Blevins, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR NOVEMBER 27, 2000 APPROVED.

**New Business:**

**RESOLUTION NO. 2000-39**

**RESOLUTION CONFIRMING THE REAPPOINTMENT BY THE MAYOR OF RICHARD STEVEN TO SERVE AS A MEMBER OF THE MARION CITY HEALTH BOARD, AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. Mayor Kellogg advised the members that Mr. Richard Steven has served on the board and has done an outstanding job. Mayor Kellogg advised that he is recommending Mr. Steven to serve a second term.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-40**

**RESOLUTION APPROVING THE ADOPTION OF A PRIVATE OHIO FIREFIGHTER'S DEFERRED COMPENSATION PLAN FOR ELIGIBLE EMPLOYEES WITHIN THE CONTEXT OF SECTION 457 OF THE INTERNAL REVENUE CODE, AND DIRECTING AND AUTHORIZING THE ADMINISTRATION TO TAKE ALL STEPS TO OFFER THE PLAN IMMEDIATELY.**

The legislation's title received its first reading. There was a 3-0 vote from the Finance Committee to place on the agenda. Mr. Cumston advised the members that this resolution would allow the firefighters another option for deferred compensation. Mr. Russell advised that he has received a copy of the plan but did urge the members to wait for the approval of the plan.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**ORDINANCE NO. 2000-150**

**ORDINANCE AMENDING SECTION 351.15 NIGHT PARKING IN RESIDENTIAL DISTRICTS OF THE MARION CITY CODE IN ORDER TO ADDRESS CERTAIN RECREATIONAL VEHICLES.**

The legislation's title received its first reading. There was a 2-1 vote from the Legislation, Codes & Regulations Committee to place on the agenda. Mr. Schertzer advised that this legislation was a minor modification to the existing section of the code and requested a 1<sup>st</sup> reading.

Discussion: Mrs. Rosalee Marvin, 409 Toledo Avenue spoke against the legislation. She advised the members that there is already a law on the books and that it would be prejudicial to people who own recreational vehicles. Ms. Marvin further advised that if there was a hindrance to emergency vehicles she could see the need for the legislation.

Mr. Schertzer advised the members that this matter came before the codes committee on two separate occasions and that no one came forward in opposition to the legislation. Mr. Schertzer encouraged participation of the residents and advised that this matter would come before council on the 26<sup>th</sup> of December.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE LEGISLATION RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-151**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH THE LOWEST AND BEST BIDDERS, SAID CONTRACT BEING EXPRESSLY CONTINGENT UPON THE CITY'S O.W.D.A. LOAN APPLICATION BEING APPROVED AS SUBMITTED, WITH SHOOK HEAVY AND ENVIRONMENTAL GROUP FOR THE GENERAL CONSTRUCTION, CARL'S PLUMBING AND HEATING, INC. FOR THE MECHANICAL CONTRACT AND SUPERIOR ELECTRIC COMPANY FOR THE ELECTRICAL CONTRACT. EACH BEING A PART OF THE CITY OF MARION'S PLANNED PROJECT KNOWN AS "WATER POLLUTION CONTROL PLANT UPGRADE AND IMPROVEMENT 2000" AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 3-0 vote from the Streets & Sewers Committee and a 3-0 vote from the Finance Committee to place on the agenda. Mr. Cumston moved to amend this ordinance to include all required language by the Ohio EPA as submitted in writing from the Law Director. Mr. Russell advised the members that the additional language is required due to additional conversations with the Ohio EPA. Mrs. Pinnick seconded. The role call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED AS AMENDED.

Held City Hall – Council Chambers at 7:30 p.m. on December 11, 2000, Page Three

(YEAR)

**ORDINANCE NO. 2000-152****ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE VARIOUS FUNDS FOR THE YEAR ENDING DECEMBER 31, 2000.**

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 advised the members that some adjustments needed to be made. Mr. Cramer advised that there would be a net reduction in the Fire Salaries of \$78,000.00 due to a prior appropriation not being credited, thus the fire salaries have a net reduction to \$154,000.00. Mr. Cramer advised that there were minor typographical errors and minor adjustments as submitted in writing to the members.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Dr. Arndt seconding.

Discussion: Dr. Arndt expressed his concern regarding the ordinance. Dr. Arndt advised that during the meeting all the reasons were given for the appropriation and advised that he felt we needed to watch the funds a little closer.

The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED AS AMENDED.

**Correspondence** - None.

**Matters not on the Agenda** – Mr. Pat Carr, 1031 Richmond Avenue, inquired as to where he would contact to attempt to take care of several homes that are burned out and have set for several years. He further advised that this is a danger to the public. Mr. Osborn advised that he had talked to Mr. Carr and in March of this year, council had passed an Ordinance allowing the Safety/Service department to proceed with notifying the property owners to repair or tear down the vacant structures. Mr. Osborn advised that he would speak with Mr. Carr and obtain the list but that his department has been working to resolve these properties.

Mayor Kellogg advised the members that with the OWDA Loan Funding there are some additional matters to advise council. Mayor Kellogg explained to the members the sponsorship program that is being offered by the Ohio EPA. Mayor Kellogg, Mr. Russell and Mr. Cramer explained to the members that general principal of the sponsorship program is to borrow the necessary funds to complete the proposed project, borrow additional funds and give to an authorized park program, and pay the same amount of money back to the Ohio EPA as you would if you borrowed no more than the project costs. They explained that the interest rate is reduced to cover the sponsored park. For example, borrow 20 million dollars with an interest rate of 4.25% payoff in 30 years. Borrow 24.5 million dollars with an interest rate of 2.2% give 4.5 million to the park with a payoff of 30 years. The reduction in the interest rate pays for the money to the park with no additional costs to the city. No sponsorship no reduction in interest rate. Sponsorship equals reduction in interest rate.

Mr. Russell further advised that for the city sponsoring the park the park will give the sum of \$250,000 to the Quarry Park for the City residents. Mayor Kellogg encouraged the members to advise the administration of their intent to participate or not.

**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 December 11, 2000, Page Four  
Held \_\_\_\_\_

(YEAR)

Dr. Arndt advised that with the savings and the funds do not cost any more money and the local park receives a benefit, he would like to see the administration move forward with the program.

Mrs. Davis moved to Adopt a Resolution of Council's Intent to participate in the Sponsorship Program with Mr. Cumston seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Hatch, Mr. Thomas, Mrs. Blevins, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED COUNCIL'S INTENT TO PARTICIPATE IN THE SPONSORSHIP PROGRAM IS APPROVED.

Mayor Kellogg advised the members that he did receive from the Mayor in Mansfield the T-Shirt and Carousel as a part of the Harding Football Team Challenge to Mansfield.

President Kochheiser introduced Mr. Bob Bender who has been hired as the new Downtown Manager.

**Committee Dates –**

December 19, 2000

6:00 p.m. Public Utilities

6:15 p.m. Streets & Sewers

6:30 p.m. Finance Committee

7:00 p.m. Airport, Lands & Buildings

7:15 p.m. Legislation, Codes & Regulations

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

  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

  
Cathy A. Chaffin  
CLERK OF COUNCIL

Held

City Hall - Council Chambers at 7:30 p.m. on December 26, 2000

(YEAR)

ROLL CALL – Seven Members Answered – Mr. Cumston, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

Mr. Thomas moved to excuse Mr. Hatch and Mrs. Blevins with Dr. Arndt seconding. Mr. Thomas advised the members that Mrs. Blevins was ill and that Mr. Hatch was on vacation. By a verbal vote all members voted in approval.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED MR. HATCH AND MRS. BLEVINS EXCUSED.

PRAYER – President Kochheiser led the invocation.

PLEDGE OF ALLEGIANCE – President Kochheiser led the pledge to the United States Flag.

SUMMARY OF COUNCIL PROCEEDINGS FOR DECEMBER 11, 2000 – President Kochheiser inquired of the members if they have read the minutes and if there were any additions or corrections.

Mr. Cumston moved to accept the Summary of Proceedings for December 11, 2000 with Mrs. Pinnick seconding. The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON PRESIDENT KOCHHEISER DECLARED THE SUMMARY OF COUNCIL PROCEEDINGS FOR DECEMBER 11, 2000 APPROVED.

**Old Business:**

**ORDINANCE NO. 2000-150**

**ORDINANCE AMENDING SECTION 351.15 NIGHT PARKING IN RESIDENTIAL DISTRICTS OF THE MARION CITY CODE IN ORDER TO ADDRESS CERTAIN RECREATIONAL VEHICLES.**

The legislation's title received its second reading. There was a 2-1 vote from the Legislation, Codes & Regulations Committee to place on the agenda.

Mr. Schertzer advised the members that this legislation initially came to the committee by Mr. Thomas who had an issue relating to recreational vehicles in the Third Ward. Mr. Thomas advised the members that a resident of the ward wished to address council. Debbie Elwer of 1096 Plantation Drive advised the members that she is a resident of the third ward and that her house currently sits on a corner. She advised that there was an incident with a recreational vehicle and that it blocked her line of sight during the night time hours. Mrs. Elwer asked the members to consider passage of the legislation.

Rosalee Marvin of 490 Toledo Avenue advised the members that she did not feel that there is a need for the legislation as there are already laws on the books to deal with the issue. Ms. Marvin encouraged the members to vote against the legislation. She also advised that the impact would be negative on visiting out of town family and seniors that were currently unable to attend the meetings due to vacationing in Florida.

Mrs. Davis inquired as to the number of calls Chief Bell receives and how much flexibility he has with the legislation. Chief Bell advised that the 72 hours would be a violation but that this legislation would make no difference and if passed would be enforced. Chief Bell also advised that currently there is no section that relates to vehicles obstructing the view. Mr. Cumston advised that he did drive the area last week and observed the curve. He advised it would be a hazard to have parking in the area with an attempt to negotiate the curve and backing out of a driveway. Mr. Schertzer proposed that the legislation be reviewed further. Dr. Arndt advised that he agreed with Mr. Schertzer and recommended that the legislation be voted down and returned to committee to allow options. Mr. Thomas suggested a possible no parking zone in the area of the curve.

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

**RECORD OF PROCEEDINGS  
MARION CITY COUNCIL**

Minutes of

Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10188

City Hall – Council Chambers at 7:30 p.m. on December 26, 2000, Page Two

Held \_\_\_\_\_

(YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Thomas moved to adopt with Mr. Cumston seconding. The role call vote was: YEAS: None. NAYS: Mr. Cumston, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE DEFEATED.

**New Business:****RESOLUTION NO. 2000-41**

**RESOLUTION AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR OHIO PUBLIC WORK COMMISSION FUNDING AND GRANTING HIM AUTHORITY TO ENTER INTO AGREEMENTS FOR SAME IN ORDER TO COMPLETE THE PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES COMMONLY REFERRED TO AS THE WATER POLLUTION CONTROL PLANT UPGRADE AND IMPROVEMENT 2000 AND DECLARING AN EMERGENCY.**

The legislations titled received its first reading. There was a 3-0 vote from the Finance Committee and a 3-0 vote from the Streets & Sewers Committee to place on the Agenda.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-42**

**RESOLUTION RE-CONFIRMING THE AUTHORITY GRANTED THE MAYOR IN RESOLUTION 1999-35 ALLOWING APPLICATION, ACCEPTANCE, AND THE ENTERING INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES COMMONLY REFERRED TO AS THE WATER POLLUTION CONTROL PLANT UPGRADE AND IMPROVEMENT 2000 AND AUTHORIZING IN ADDITION THERETO A WATER POLLUTION CONTROL FUND WATER RESOURCE RESTORATION SPONSORSHIP PROGRAM WITH ERIE METROPARKS AND THE NORTH COAST REGIONAL COUNCIL OF PARK DISTRICTS AND DECLARING AN EMERGENCY.**

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

Mr. Russell advised the members that the Erie Metroparks passed a resolution supporting the program. He advised the members that everything is in line and the tentative agreement remains at the \$250,000 being given to the City of Marion in exchange for the funds. Dr. Arndt advised that he is concerned that this money would be designated to the Quarry Park and that it would not be enough funding to complete a project. Dr. Arndt further inquired as to whether or not there is a plan for the Quarry Park in place. Mayor Kellogg advised that there was no plan however, the funds would be used for all city parks.

Mr. Cumston advised the members that he would be meeting with the administration and Mr. Bigford to develop a comprehensive plan for the city parks.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held City Hall – Council Chambers at 7:30 p.m. on December 26, 2000, Page Three

(YEAR)

Mr. Cumston moved to adopt with Mrs. Davis seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**RESOLUTION NO. 2000-43**

**RESOLUTION ACCEPTING THE TERMS AND CONDITIONS IMPOSED BY THE STATE DEPARTMENT OF TRANSPORTATION FOR THE STATE ROUTE 95 (DAVIDS STREET) OR 11.26 OF PAVING AND DECLARING AN EMERGENCY.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RESOLUTION ADOPTED.

**ORDINANCE NO. 2000-153**

**ORDINANCE AMENDING SECTION 109.01 "CREDIT TO LOCAL BIDDERS" TO PROVIDE FOR AN EXPANDED DEFINITION OF LOCAL BIDDER AND AMENDING THE NECESSARY SUBSECTION THEREIN TO INCLUDE LOCAL SUBCONTRACTORS.**

The legislation's title received its first reading. There was a 3-0 vote from the Legislation, Codes & Regulations Committee to place on the agenda. Mr. Schertzer advised the members that this matter came to the attention of the committee during a Streets & Sewers Meeting at the Waste Water Treatment Plant. He advised that a local firm submitted a bid to the contractor as a sub contractor and that this would encourage contractors to use local subs.

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Schertzer moved to adopt with Mrs. Davis seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-154**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH MIDWEST AUGER-AERATOR FOR THE PURCHASE OF AN AUGER-AERATOR TO BE USED AT THE WATER POLLUTION CONTROL PLANT AND DECLARING AN EMERGENCY.**

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

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

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE RULES OF COUNCIL SUSPENDED.

Mr. Cumston moved to adopt with Mr. Schertzer seconding. The role call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

City Hall – Council Chambers at 7:30 p.m. on December 26, 2000, Page Four  
Held \_\_\_\_\_, (YEAR)

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE ADOPTED.

**ORDINANCE NO. 2000-155**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH QUALITY MASONRY OF MARION FOR THE RENOVATION OF THE COMMUNITY ROOM AND DECLARING AN EMERGENCY.**

The legislation's title received its first reading. There was a 3-0 vote from the Airport, Lands & Buildings Committee and a 3-0 vote from the Finance Committee to place on the agenda. Mr. Cumston advised the members that he is requesting that the legislation be addressed at the special meeting on January 2, 2001 as the funds would be available at that time.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

**ORDINANCE NO. 2000-156**

**ORDINANCE AUTHORIZING THE SAFETY/SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH \_\_\_\_\_ FOR THE REPLACEMENT OF THE SANITARY SEWER AND STORM SEWER LOCATED ON NORTH GREENWOOD STREET AND FINDING A REAL AND PRESENT EMERGENCY EXISTS WITHIN THE DIVISION OF PUBLIC SAFETY PURSUANT TO O.R.C. 735.051 AND DECLARING AN EMERGENCY.**

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

Mr. Thomas moved to amend the ordinance to include the name of the contractor Underground Utilities Inc., and the contract price. Mr. Carlyle asked the members to increase the funds 10% to cover any unforeseen problems. Mr. Thomas moved to amend the funds to read: Storm Sewer \$73,557.00 and Sanitary Sewer \$83,270.00. Mr. Cumston seconded.

The roll call vote was: YEAS: Mr. Cumston, Mr. Thomas, Mrs. Peters, Dr. Arndt, Mrs. Pinnick, Mrs. Davis, Mr. Schertzer. NAYS: None.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE AMENDED.

The legislation's title was read as amended.

Mr. Thomas requested that this item receive its first reading and that the legislation be addressed at the special meeting on January 2, 2001.

WHEREUPON, PRESIDENT KOCHHEISER DECLARED THE ORDINANCE RECEIVED ITS FIRST READING.

**Correspondence** - None.

**Matters not on the Agenda** – President Kochheiser advised the members that there would be a special meeting of Council for the consideration of Ordinance No. 2000-155 and 2000-156 along with the 2001 budget. Mr. Russell advised the members that there is one additional item he expected to come before council at the special meeting on January 1, 2001. Mr. Russell advised that the fourth item to be addressed would be the Electric Aggregation Professional Agreement Ordinance. President Kochheiser noted the fourth item.

President Kochheiser advised those in attendance that two of our council members would be leaving effective December 31, 2000. President Kochheiser advised that Mrs. Peters and Dr. Arndt are the two members resigning and that he has already expressed his thoughts to the members in a letter.

Cathy Chaffin, Clerk of Council, presented to Mrs. Peters on behalf of Marion City Council a plaque thanking her for her service to the citizens of Marion. Dr. Arndt was also presented a plaque on behalf of Marion City Council thanking him for his years of dedication and service to the Citizens of Marion. A round of applause was given to the retiring members.

Held City Hall – Council Chambers at 7:30 p.m. on December 26, 2000, Page Five

(YEAR)

**Committee Dates –**

January 2, 2001  
6:00 p.m. Legislation, Codes & Regulations  
6:45 p.m. Public Utilities  
7:00 p.m. Finance Committee

President Kochheiser reminded all members that a special meeting of the council would take place on January 2, 2001 at 7:30 p.m. at City Hall, Council Chambers to address: Ordinance No. 2000-155; 2000-156; 2001 Budget and the Electric Deregulation Ordinance.

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

  
Mr. Keith A. Kochheiser  
PRESIDENT OF COUNCIL

  
Cathy A. Chaffin  
CLERK OF COUNCIL