



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

**MARION CITY COUNCIL
REGULAR MEETING
AGENDA
January 13, 2020
City Hall – Council Chambers, 2nd Floor**

ROLL CALL

PRAYER

PLEDGE OF ALLEGIANCE

MINUTES of 12/09/2019, 12/16/2019, and 01/01/2020 Meetings

OLD BUSINESS

NEW BUSINESS

Item 1. ORDINANCE 2020-02: ORDINANCE RE-DECLARING THE CITY OF MARION'S SUPPORT FOR CAN DO! IN ORDER TO CONTINUE THE ECONOMIC PROSPERITY OF THE GREATER MARION AREA, AND DECLARING AN EMERGENCY

(Jobs and Economic Development 3-0, Mr. Ratliff, chair)

Item 2. ORDINANCE 2020-03: ORDINANCE RE-DECLARING THE CITY OF MARION'S SUPPORT FOR DOWNTOWN MARION, INC., INCLUDING BUT NOT LIMITED TO FINANCIAL SUPPORT IN ORDER TO CONTINUE THE COMMUNITY'S EFFORTS TO REVITALIZE THE DOWNTOWN AREA, AND DECLARING AN EMERGENCY

(Jobs and Economic Development 3-0, Mr. Ratliff, chair)

Item 3. ORDINANCE 2020-04: AN ORDINANCE RE-CREATING THE DEPARTMENT OF PUBLIC SAFETY/SERVICE WITHIN THE CODIFIED ORDINANCES OF THE CITY OF MARION CHAPTER 133, CREATING NECESSARY SECTIONS, REPEALING THOSE SECTIONS OF ORDINANCE 2007-107 WHICH ARE INCONSISTENT HEREWITH, AMENDING THE YARGER REPORT AND DECLARING AN EMERGENCY

(Finance 3-0, Mr. Daniels, chair)

Item 4. ORDINANCE 2020-05: ORDINANCE AMENDING ORDINANCE 1969-29, COMMONLY KNOWN AS THE YARGER REPORT, BY CREATING A NEW POSITION IDENTIFIED AS THE ADMINISTRATOR OF MANAGEMENT AND BUDGET, ESTABLISHING SALARY AND BENEFITS FOR SAID POSITION, AND DECLARING AN EMERGENCY

(Finance 3-0, Mr. Daniels, chair)

Item 5. ORDINANCE 2020-06: ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE OFFICE OF THE LAW DIRECTOR FOR THE YEAR ENDING DECEMBER 31, 2020.

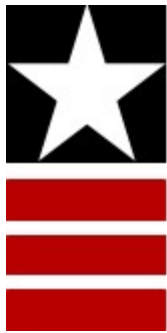
(Finance 3-0, Mr. Daniels, chair)

OTHER BUSINESS

MATTERS NOT ON THE AGENDA

COMMITTEE MEETING SCHEDULE

ADJOURN



City of
Marion
Ohio

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

COMMITTEE SCHEDULE

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

Committee	Chair	01/21/2020	**Possible** Agenda Items
Finance			
Airport, Lands & Buildings			
Information Systems			
Jobs and Economic Development			
Legislation, Codes & Regulations			
Municipal Services, Parks & Recreation			
Public Utilities			
Regional Planning			
Streets and Sewers			
Zoning and Annexation			

COUNCIL COMMITTEES (2020/2021)		
<p><u>Finance</u> Josh Daniels, chair Kai Meade Jason Schaber</p> <p><u>Airport, Lands & Buildings</u></p> <p><u>Information Systems</u></p>	<p><u>Jobs & Economic Development</u> Ayers Ratliff, chair Kai Meade Mike Neff</p> <p><u>Legislation, Codes & Regulations</u></p> <p><u>Municipal Services, Parks & Recreation</u></p>	<p><u>Public Utilities</u></p> <p><u>Regional Planning</u></p> <p><u>Streets & Sewers</u></p> <p><u>Zoning & Annexation</u></p>

COUNCIL MEMBERS (2020/2021 TERM)

Office Holder	Contact Information
President Todd Schneider	920 Cambridge Marion, OH 43302 740-360-9644 CouncilPresident@marionohio.org
At-Large Rebecca Gustin	Democratic Central Committee will meet no earlier than 01/05/2020 to appoint a replacement AtLarge3@marionohio.org
At-Large Josh Daniels	1093 Edison Ave. Marion, OH 43302 740-361-5271 AtLarge2@marionohio.org
At-Large Michael Neff	851 E. Center St. Marion, OH 43302 740-751-2058 AtLarge1@marionohio.org
1 st Ward Kai Meade	1207 Bahama Dr. Marion, OH 43302 740-751-3900 Ward1@marionohio.org
2 nd Ward President Pro Tempore Ayers Ratliff	411 Oak St. Marion, OH 43302 740-802-0277 Ward2@marionohio.org
3 rd Ward Jason Schaber	359 Rosewood Dr. Marion, OH 43302 740-225-0250 Ward3@marionohio.org
4 th Ward Joshua Feliciano	495 Olney Ave. Marion, OH 43302 740-692-3626 Ward4@marionohio.org
5 th Ward Leslie Cunningham	248 Cummins Ave. Marion, OH 43302 740-225-9068 Ward5@marionohio.org
6 th Ward Kathy Swanger	1082 Wilshire Dr. Marion, OH 43302 740-262-1236 Ward6@marionohio.org
Clerk of Council Tarina R. Rose	233 W. Center St. Marion, OH 43302 740-387-4935 CouncilClerk@marionohio.org
Clerk Pro Tempore Linda Strzelecki, Clerk Pro Tempore	233 W. Center St. Marion, OH 43302 740-387-5865 LStrzelecki@marionohio.org

MARION CITY COUNCIL REGULAR MEETING

City Hall – Council Chambers on 12/9/2019 7:30 PM

MARION CITY COUNCIL REGULAR MEETING

City Hall – Council Chambers on 12/9/2019 7:30 PM

ROLL CALL: 10 members answered – Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Thomas, Mr. Daniels, Mr. Schneider.

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

Prayer was led by Brian Swingle, Family Life Church. Pledge of Allegiance recited.

MINUTES FROM 11/25/2019

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

MINUTES FROM 11/25/2019 APPROVED 9-0

OLD BUSINESS:

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

Mr. Ratliff explained that no raises can be given mid-term. Raises would go into effect the first day of the next term, 01/01/2020 in most cases. Most of the positions addressed tonight have not had a raise in 4-6 years, as opposed to annual raises received by other city employees.

Christian Dunston (E. Fairground Street) expressed that he does not think the raises are enough compared to the same positions in comparably sized cities.

ORDINANCE 2019-64 SECOND READING

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

Mr. Ratliff made a motion to suspend the rules; Mr. Schaber 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Thomas, Mr. Daniels. Nays – Mr. Landon, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Daniels (4-5)

RULES NOT SUSPENDED

ORDINANCE 2019-65 SECOND READING

MARION CITY COUNCIL REGULAR MEETING

City Hall – Council Chambers on 12/9/2019 7:30 PM

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

Larry Heiser (Lighthouse Ridge) was granted permission to speak. He would like to see them discuss raises in September or October, rather than after the election.

ORDINANCE 2019-66 SECOND READING

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

ORDINANCE 2019-67 SECOND READING

NEW BUSINESS:

Item 1. RES 2019-20: RESOLUTION DECLARING IT NECESSARY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION (Finance 3-0, Mr. Huddle)

Joan Kasotis (Marion County Auditor) explained two resolution process to place levy on ballot. She is present to sign off on 1st resolution, if passed.

Chief Deem explained that there have been a couple of changes since committee. They are reducing from a 3 to 2.75 mil levy, based on recent property revaluations.

Mr. Daniels noted that the levy has also changed from a 30-years to a “continuing period of time”.

Chief Deem clarified that 30 years is not allowed by state law, so it was changed. Thirty years seemed to be long enough to pay for station one. The choice was 5 years or continuous. The tax could be revisited by the voters later once the station is built. The intention is to cover new station, expected renovation needs for station #2 and #3, and all capital equipment for 30 years. He provided a detailed list of projected expenses for capital expenses. If this levy is approved, it will help free up other capital funds in the city budget for other general fund departments. Ryan Redmond, Union President, reinforced that this is going to help keep them as a modern fire department. Current sales tax is funding some capital improvements, but not keeping up. Their trucks and equipment are significantly out of date. The request is about much more than fire stations.

MARION CITY COUNCIL REGULAR MEETING

City Hall – Council Chambers on 12/9/2019 7:30 PM

Mr. Daniels expressed doubt that the tax payers would pass a continuous levy. He does not disagree that there will be a need for a new station. He said they could do a 5-year levy and bank it so that they could pay for the station in cash at the end of that period, and then go back for additional 5-year levy for additional equipment, as proposed. Mr. Thomas expressed concern about the continuous levy and requested that a special meeting be held to discuss it.

Mr. Huddle asked if there had been any discussion of consolidation. Chief Deem states that they do discuss it on and off. This may be a good first step toward that because they would be shifting to some funding from property taxes.

Chief Deem explained that the \$500,000 grant for station #1 (107 years old) will help keep that station functioning until they can get a new station. The station does not meet many of the requirements for a modern firehouse. We have 57 firefighters and will go up to 63 with 3-year Safer Grant. Authorized staffing level is 65.

It was clarified that the vote tonight is only to decide if the decision should go before the people or not.

Mr. Ratliff made a motion to amend to update the ordinance coming out of committee to 2.75 mil, continuous; Mrs. Cunningham 2nd. Roll Call: Ayes -- Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mrs. Cunningham, Mr. Huddle, Mr. Norris. Nays – Mr. Landon, Mr. Thomas, Mr. Daniels. (6-3)

RESOLUTION 2019-20 AMENDED (6-3)

Mr. Thomas made a motion to schedule a special meeting for 12/16 and include any agenda items that do not pass tonight; Mr. Daniels 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Thomas, Mr. Daniels. Nays – none

12/23 COUNCIL MEETING RESCHEDULED TO 12/16 9-0

RESOLUTION 2019-20 FIRST READING

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

RESOLUTION 2019-21 FIRST READING

Item 3. ORD 2019-68: ORDINANCE AMENDING CERTAIN PORTIONS OF ORDINANCE 2008-125 AND DECLARING AN EMERGENCY (Municipal Services, Parks and Recreation 3-0, Mr. Schaber)

Ordinance addresses salary increases for assistant law directors.

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

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

ORDINANCE 2019-71 APPROVED 9-0

MARION CITY COUNCIL REGULAR MEETING

City Hall – Council Chambers on 12/9/2019 7:30 PM

Item 4. ORD 2020-01: ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MARION, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020. (Finance with no recommendation 2-1, Mr. Huddle)

Auditor-elect Landon handed out a spreadsheet of proposed amendments to the auditors and income tax departments. He is proposing a \$40,000 increase and the majority is due to increases obligated to workers because of bargaining unit agreements for pay increases and increases in health care costs. They factored in schooling to have some training through New World who is the vendor for software. They are expecting three days on site and he is awaiting a final estimate. They are estimating it at \$10,000. Also, he has adjusted salaries because Auditor Carr did not know his staffing levels and wages. At a minimum, they would need 2019 budget.

Mr. Schaber asked about how he could compare spreadsheet that Mr. Landon provided to initial budgeted amounts. Mr. Landon referred him to the original ordinance for those numbers. Mr. Schaber calculated an increase of \$262,443.73. Mr. Landon said, "if you frame it that way". The 2020 budget was \$191,000 less than 2019 amended budget was. Mr. Landon explained that it is about a \$40,000 increase from 2019 budget and most of that is salary and health care costs, as well as school and traveling. He later clarified that it is what the bargaining unit obligates them to do. Mr. Schaber clarified that it would affect the net carryover projected coming out of committee.

Mr. Ratliff indicated that they just got this proposal tonight in the meeting. There is the 2019 budget, then the estimate from Mr. Landon, it looks to be about \$30,000 or so under budget, then the ask is \$40,000 above what the original budgeted amount was which is really about a \$70,000 increase vs what was actually spent. Also, he does not like the fact that there are blacked out mystery staff. Mr. Landon indicated those are current employees. MR. Ratliff we are replacing people in the office that we already paid to train and now we are spending \$15,000 to train new people. He would at least ask us to put this on next meeting and not rush this through.

Mr. Landon stated that it is common to replace workers when a new administration comes in. They are not replacing union employees. He elected to black out names, even though it is public record. The estimate for the finishing of the 2019 is a rough estimate. He does not know what is in the New World system or what the incoming po's are. From the outside looking in this is what they believe is for the 2019 year end. It could be different.

Mr. Ratliff said that he had a problem with the way that the previous clerk was treated with the change in council last term. It seems that same thing is happening in Auditors office by the exact same person. Mr. Schneider clarified that office is free to hire whomever he wants. Mr. Ratliff does not like the fact that employees are losing their jobs because of politics, when they have done a good job. Mr. Schneider gaveled.

Mr. Landon stated that the budget does include the proposed pay increase for the auditor.

Mr. Schaber asked if the paper that Mr. Landon handed out is the appropriate form for an amendment. Law Director Russell stated that it is important that each council person understands what the proposed amendment is. If each person does not understand, then potentially – it is going to be read a second time – get additional information and details from Mr. Landon. There is the option to make the amendment at the second reading. Each council person needs to understand the proposal.

MARION CITY COUNCIL REGULAR MEETING

City Hall – Council Chambers on 12/9/2019 7:30 PM

Mr. Ratliff had not had time to mull around. The salary increase is included, but so is an extra \$1,000. He encouraged council to wait an additional week before considering amendment.

Mr. Landon clarified to Christian Dunston (E. Fairground St) that amendment does include all three positions that current auditor removed.

Mr. Daniels stated that he would not vote for amendment because he will not vote for any of it because of the deficit spending.

Mr. Landon made a motion to amend ORD 2020-01 as outlined in the spreadsheet; Mrs. Cunningham 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Schaber, Mrs. Cunningham, Mr. Huddle, Mr. Norris. Nays – Mr. Ratliff, Mrs. Blevins, Mr. Thomas, Mr. Daniels. (5-4)

ORDINANCE 2020-01 AMENDED PER SPREADSHEET PRODUCED BY MR. LANDON (5-4)

ORDINANCE 2020-01, AS AMENDED BY SPREADSHEET FIRST READING

OTHER MATTERS NOT ON THE AGENDA:

In response to Mr. Cooperrider (Maynard Drive), Law Director Russell explained that the city did not attend the PUCO meeting regarding the capital assessment, which by law they are able to recover 100%. When the file for a general increase, yes, the city will be there.

Mr. Ratliff made a motion to reschedule the 12/23 regular meeting to 12/16 and include any agenda items that do not pass tonight and cancel out the previous motion for a special meeting; Mr. Schaber 2nd. Roll Call: Ayes -- Mr. Landon, Mr. Ratliff, Mr. Schaber, Mrs. Blevins, Mrs. Cunningham, Mr. Huddle, Mr. Norris, Mr. Thomas, Mr. Daniels. Nays – none

12/23 COUNCIL MEETING RESCHEDULED TO 12/16 9-0

Mattie Kelly (Uncapher Avenue) asked about process to replace Mrs. Gustin. She felt that Miss Tera Dyer should have been selected, because she actually ran for a seat. She understood that council is the entity that appointed replacement. Mr. Schaber clarified that council did not fill seat, that was done by the Democratic Central Committee.

Mr. Ratliff expressed disappointment in the article run by the Marion Star regarding Mrs. Gustin. He felt that it was misleading and confused people. Mrs. Gustin tried to withdraw her name from the petition, and it was too late. Marion Board of Elections told her no. Three people ran for three seats. At that point, city council would have made the appointment. City voters would have never voted on that position. He felt that Marion Star treated her unfairly and we should be thanking her for the years of service. She has given decades of service to community and should be applauded. Mrs. Gustin ran for an at-large seat. Mrs. Dyer ran for the 5th ward. They are different seats.

Mayor Schertzer requested that members reach out to administration and the chief if they needed more information about proposed levy and options.

MARION CITY COUNCIL REGULAR MEETING

City Hall – Council Chambers on 12/9/2019 7:30 PM

COMMITTEE MEETING SCHEDULE:

- Finance Committee – Rick Huddle – 6:30 12/16/2019 – year-end adjustments
- Legislation, Codes, and Regulations – Robert Landon – 6:35 12/16/2019 – liquor permit transfer
- Regional Planning – Kevin Norris – 7:00 12/11/20109
- Streets and Sewers – Jason Schaber – 6:40 12/16/2019 – discussion of vac truck

No other committees announced meetings.

With no further business to come before Council, Mr. Schneider adjourned the meeting at 9:49 PM.

Todd Schneider
President of Council

Tarina R. Rose
Clerk of Council

MARION CITY COUNCIL REGULAR MEETING

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

MARION CITY COUNCIL REGULAR MEETING

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

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

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

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

SUMMARY OF PROCEEDINGS – 12/9/2019

OLD BUSINESS:

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

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

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

ORDINANCE 2019-64 DEFEATED 0-6-1

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

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

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

ORDINANCE 2019-65 APPROVED 5-2

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

MARION CITY COUNCIL REGULAR MEETING

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

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

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

ORDINANCE 2019-66 APPROVED 5-2

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

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

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

ORDINANCE 2019-67 APPROVED 5-2

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

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

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

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

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

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

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

MARION CITY COUNCIL REGULAR MEETING

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

Item 7. ORD 2020-01: ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MARION, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020, AS AMENDED. (Finance with no recommendation 2-1, Mr. Huddle/Mr. Landon) (Expense Budget) (2nd Reading)

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

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

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

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

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

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

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

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

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

MARION CITY COUNCIL REGULAR MEETING

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

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

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

Mr. Ratliff's removal defeated 2-5

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

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

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

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

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

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

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

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

THIS SERVES AS 2ND READING FOR ORD 2020-01

MARION CITY COUNCIL REGULAR MEETING

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

NEW BUSINESS:

ITEMS EXPECTED TO BE ADDED:

Motion made to add ORD 2019-70 and 2019-71 to agenda by Mr. Schaber, Mr. Thomas 2nd, Mr. Ratliff 3rd

ORD 2019-70: ORDINANCE AUTHORIZING AND DIRECTING THE PUBLIC WORKS DIRECTOR TO ENTER INTO CONTRACT WITH JACK DOHENY COMPANIES, INC FOR THE PURCHASE OF A COMBINATION SEWER CLEANER FOR THE CITY OF MARION OHIO, AND APPROPRIATING NECESSARY FUNDS AND DECLARING AN EMERGENCY (Streets and Sewers 2-0, Mr. Schaber)

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

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

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

ORDINANCE 2019-70 APPROVED 7-0

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

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

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

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

ORDINANCE 2019-71 APPROVED 7-0

OTHER MATTERS NOT ON THE AGENDA:

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

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

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

Mrs. Dyer also expressed concern.

MARION CITY COUNCIL REGULAR MEETING

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

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

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

COMMITTEE MEETING SCHEDULE:

No committees scheduled while appointments are pending with the new council

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

Todd Schneider
President of Council

Tarina R. Rose
Clerk of Council

MARION CITY COUNCIL REGULAR MEETING

City Hall – Council Chambers on 1/1/2020 12 NOON

MARION CITY COUNCIL REORGANIZATIONAL MEETING

City Hall – Council Chambers on 1/1/2020 12 NOON

ROLL CALL: 9 members answered – Mr. Meade, Mr. Ratliff, Mr. Schaber, Mr. Feliciano, Mrs. Cunningham, Mrs. Swanger, Mr. Neff, Mr. Daniels, Mr. Schneider.
Absent – Mrs. Gustin

PRIOR TO MEETING: All nine council people present took the oath of office. Note that Mrs. Gustin did not.

With a quorum present, the meeting was called to order at 12:08 PM. Short recess taken to allow council members to sign oaths.

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

ORGANIZATIONAL MATTERS

Item 1. RESOLUTION 2020-01: ELECTING A CLERK OF COUNCIL, PURSUANT TO COUNCIL RULE 11, FOR THE YEARS 2020 AND 2021, AND DECLARING AN EMERGENCY

Roll Call: Mr. Meade – Tarina Rose, Mr. Ratliff – Tarina Rose, Mr. Schaber – Tarina Rose, Mr. Feliciano – Tarina Rose, Mrs. Cunningham – Tarina Rose, Mrs. Swanger – Tarina Rose, Mr. Neff – Tarina Rose, Mr. Daniels – Tarina Rose.

Resolution 2020-01 passed electing/appointing Tarina Rose as Clerk of Council for the 2020/2021 term (8-0)

Item 2. RESOLUTION 2020-02: ELECTING A PRESIDENT PRO TEMPORE OF COUNCIL, PURSUANT TO COUNCIL RULE 11, FOR THE YEARS 2020 AND 2021, AND DECLARING AN EMERGENCY

Roll Call: Mr. Meade – Ayers Ratliff, Mr. Ratliff – Ayers Ratliff, Mr. Schaber – Ayers Ratliff, Mr. Feliciano – Jason Schaber, Mrs. Cunningham – Jason Schaber, Mrs. Swanger – Ayers Ratliff, Mr. Neff – Jason Schaber, Mr. Daniels – Ayers Ratliff.

Resolution 2020-02 passed electing Ayers Ratliff as the President Pro Tempore of Council for the 2020/2021 term (5-3)

Item 3. RESOLUTION 2020-03: ELECTING A CLERK PRO TEMPORE OF COUNCIL, PURSUANT TO COUNCIL RULE 11, FOR THE YEARS 2020 AND 2021, AND DECLARING AN EMERGENCY

Roll Call: Mr. Meade – Linda Strzelecki, Mr. Ratliff – Linda Strzelecki, Mr. Schaber – Linda Strzelecki, Mr. Feliciano – Linda Strzelecki, Mrs. Cunningham – Linda Strzelecki, Mrs. Swanger – Linda Strzelecki, Mr. Neff – Linda Strzelecki, Mr. Daniels – Linda Strzelecki.

Resolution 2020-03 passed electing Linda Strzelecki as the Clerk Pro Tempore of Council (8-0)

OLD BUSINESS

Item 1. ORDINANCE 2020-01: ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MARION, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020, AS AMENDED (Finance 2-0, no recommendation) (3rd Reading)

Mr. Ratliff made a motion to approve; Mr. Schaber 2nd. Roll Call: Ayes -- Mr. Meade, Mr. Ratliff, Mr. Schaber, Mr. Feliciano, Mrs. Cunningham, Mrs. Swanger, Mr. Neff, Mr. Daniels. Nays – none

Resolution 2020-01 approved (8-0)

Mr. Ratliff requested that council members notify him of the committees that they would like to serve on, as well as those committees that they would prefer to not serve.

MARION CITY COUNCIL REGULAR MEETING

City Hall – Council Chambers on 1/1/2020 12:00 NOON

With no further business to come before Council, Mr. Schneider adjourned the meeting at 12:15 PM.

Todd Schneider
President of Council

Tarina R. Rose
Clerk of Council

ORDINANCE RE-DECLARING THE CITY OF MARION'S SUPPORT FOR
CAN DO! IN ORDER TO CONTINUE THE ECONOMIC
PROSPERITY OF THE GREATER MARION AREA, AND DECLARING AN
EMERGENCY

WHEREAS, a request has been made upon the Council for the City of Marion to continue its' support for CAN DO!, and

WHEREAS, the Council finds it in the best interests of the City of Marion to continue its' financial support to the organization commonly known as CAN DO! and the need to ensure its' economic well-being in order to allow it to perform its function within the greater Marion community,

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

SECTION 1. The Council directs and authorizes the Mayor to ensure that the economic development organization commonly referred to as CAN DO! continues to receive support. CAN DO! shall provide the Council with an annual report in the last quarter of each year and at such other times as the Council requests or CAN DO! believes it to be appropriate. This support shall be renewable upon the commencement of each new term of Council. The current Council has seen the real need to continue to foster economic growth and opportunities. The support in the future conditioned upon subsequent Councils adopting similar appropriation legislation to provide for funding, if they believe it to be appropriate.

SECTION 2. The Council determines the best course in regard to annual amount of support to be that which is afforded and as administered by the Administration in the 2019 annual budget for the City of Marion, Ohio in the respective established line item.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Todd Schneider
President of Council

APPROVED:

Mayor Scott Schertzer

ATTEST:

Tarina R. Rose
Clerk of Council

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

WHEREAS, previous Ordinances have declared the Council's support for Downtown Marion, Inc. and its continued efforts to enhance and revitalize the community's downtown and this Council has determined the benefits arising from the City's relationship with Downtown Marion, Inc. could be substantial, and

WHEREAS, the current Council finds it in the best interests of the City of Marion to continue the previous support of the downtown and the aforementioned Committee,

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

SECTION 1. The Council directs and authorizes the Mayor to enter into agreement, for a twelve (12) month period beginning with January 1, 2020 and ending December 31, 2020. Downtown Marion, Inc. shall provide Council with an annual report in the last quarter of each year and at such other times as the Council requests or the Committee believes it to be appropriate. In addition, the Council mandates that it is a requirement that said support is contingent upon the Chairperson or his/her designee from the Jobs and Economic Development Committee of Council and the Mayor's designee being entitled to serve as a voting member of the Board governing Downtown Marion, Inc.

SECTION 2. The Council determines the best course in regard to annual amount of support to be that which is afforded and as administered by the Administration in the 2020 annual budget for the City of Marion, Ohio in the respective established line item.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

APPROVED:

Todd Schneider
President of Council

Mayor Scott Schertzer

ATTEST:

Tarina R. Rose
Clerk of Council

AN ORDINANCE RE-CREATING THE DEPARTMENT OF PUBLIC SAFETY/
SERVICE WITHIN THE CODIFIED ORDINANCES OF THE CITY OF MARION
CHAPTER 133, CREATING NECESSARY SECTIONS, REPEALING THOSE
SECTIONS OF ORDINANCE 2007-107 WHICH ARE INCONSISTENT
HEREWITH, AMENDING THE YARGER REPORT AND DECLARING AN
EMERGENCY

WHEREAS, the City Council for the City of Marion, based upon good cause and a plan of action to provide mechanisms that will best serve the people of Marion in the delivery of services, recognizing that the previous modification made in 2007 served a purpose at that time,

WHEREAS, the Council finds the return of the basic prior structure to be desirable given the current needs of the community,

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

Section 1. Council finds it to be in the best interests of the citizens of Marion, Ohio to combine the previously separated Departments of Safety and Service. Council hereby re-established the Department of Public Safety/Service within Chapter 133 of the codified ordinances. Hereby reestablishing the position of Director of Public Safety/Service.

Section 2. Section 133.01 currently reading as follows: "There is created a Department of Public Safety which shall be administered by a Director of Public Safety."

Shall be amended to read:

Section 133.01 "There is created a Department of Public Safety/Service which shall be administered by a Director of Public Safety/Service."

Section 3. All reference to the former Safety Director or Service Director contained within Chapter 133 shall be replaced with and shall here forward by Safety/Service Director. Throughout the Codified Ordinances for the City of Marion where reference was split between the Safety and Service Director, said reference shall be combined with all duties under the direction of the Director of Public Safety/Service.

Section 4. The job description is currently included in the personal classification schedule (Yarger Report) heretofore adopted by City Council.

Section 5. Pursuant to authority granted under 737.01, the Council hereby waives the residency requirement contained therein. Said provision having been waived, Council determines the Director shall reside within the County of Marion, Ohio or an adjacent County as provided in Revised Code 9.481(B)(2)(b)."

Section 6. Incorporating herein the relevant existing provisions within Section 1 of Ordinance 2002-101 now reading as follows:

Section 133.02 COMPENSATION

(A) Such annual salary shall be subject to adjustment on each anniversary of the appointee's date of appointment to this office. The Mayor may authorize such annual adjustment, based on merit within a salary range of \$50,205 minimum and \$67,128 maximum, not to exceed a 3% increase in annual salary. The salary range remains subject to revision by Council.

(B) In addition to the state compensation, the Director shall be entitled to the working conditions and employee benefits as provided for full time permanent employees; excluding overtime, compensatory time, vacation and sick leave.

Section 7. All provisions contained in previously adopted Ordinances not modified by the above shall remain in effect as if fully restated herein.

Section 8. That this Ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and its inhabitants thereof: given the immediate need to implement the structural change due to the imminent budget constraints and to provide for the most effective cohesive provision of services to the citizens of Marion; and as such shall take effect and be in force immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council, otherwise it shall become effective from and after the earliest period allowed by law.

Approved:

Todd Schneider
President of Council

Mayor Scott Schertzer

Attest:

Clerk of Council

ORDINANCE AMENDING ORDINANCE 1969-29, COMMONLY KNOWN AS THE YARGER REPORT, BY CREATING A NEW POSITION IDENTIFIED AS THE ADMINISTRATOR OF MANAGEMENT AND BUDGET, ESTABLISHING SALARY AND BENEFITS FOR SAID POSITION, AND DECLARING AN EMERGENCY

WHEREAS, the Mayor has advised the Council it is necessary and beneficial to create a position to be known as the Administrator of Management and Budget, which shall be funded by re-allocations within the current adopted budget, with responsibilities as set forth in the Job Description attached hereto (Exhibit A) and made a part hereof.

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

Section 1. The Council finds it necessary to create within the City's Job Classification Plan, also referred to as the Yarger Report, the position of Administrator of Management and Budget, with duties as set forth in the attached Job Description which is made a part hereof.

Section 2. That said position is FLSA exempted salaried and shall not be entitled to overtime as provided in Section 46.13 of the Personnel Policies.

Section 3. Such annual salary shall be subject to adjustment on each anniversary of the appointee's date of appointment to this office. The Mayor may authorize such annual adjustment, based on merit within a salary range of 53,250 minimum and 57,950 maximum, not to exceed a 3% increase in annual salary. The salary range remains subject to revision by Council. In addition to the stated salary, the Director shall be entitled to the working conditions and employee benefits as provided for full time permanent employees; excluding overtime, compensatory time, vacation and sick leave.

Section 4. That the job description for said position is attached hereto and incorporated herein by reference and shall by reference become a part of the personnel classification schedule heretofore adopted by this Council as fully as if the same were rewritten in said personnel classification schedule.

Section 5. Within the existing approved Budget, the transfers listed below shall be made to enable this legislation and the position to be put in place:

Transfer From:	Amount	Transfer to:	Amount
#101.1016.5101.01	\$25,000.00	#101.1009.5101.01	\$57,950.00
#101.1007.5413	\$30,000.00	#101.1009.5102.01	\$ 1,300.00
#501.5000.5101.01	\$30,000.00	#101.1009.5102.03	\$ 8,250.00
		#101.1009.5102.04	\$ 4,500.00
		#101.1009.5102.08	\$ 8,750.00
		#101.1009.5102.09	\$ 2,500.00
		#101.1009.5102.12	\$ 1,170.00
		#101.1009.5102.13	\$ 180.00
		#101.1009.5102.14	\$ 400.00

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and its inhabitants thereof: given the immediate need to proceed without delay to put in place a necessary position to enable more efficient operations and functionality with the City; and as such shall take effect and be in force immediately upon its' passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council, otherwise it shall become effective from and after the earliest period allowed by law.

Approved:

President of Council

Mayor Scott Schertzer

Attest:

Clerk of Council

CITY OF MARION, OHIO
Job Description

Job Title: ADMINISTRATOR - OFFICE OF
MANAGEMENT AND BUDGET
Reports To: MAYOR
FLSA Status: EXEMPT
Prepared By: H. R.
Prepared Date: 01-02-20

SUMMARY: This is an Administrator position responsible for the administration of the Office of Management and Budget, including but not limited to departmental construction project management; city property and facility maintenance; assigned departmental fleet management; related capital improvements; and departmental budget preparation and administration. Work includes managing, supervising, and motivating work force directly or through various subordinate supervisors.

Reporting to the Mayor, work is performed with latitude to complete departmental goals within budgetary guidelines. Supervision is received from the Mayor through work accomplishment routine meetings, and periodic performance reviews.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following and other duties as assigned:

- Prepares and administers the annual budgets related to Public Services Departmental activities
- Oversees the City Administration Budget to ensure funding (revenue v expenditure)
- Ensures Administration maintains compliance with all federal, state or local regulations for the application, maintenance, reporting of the City's various grant programs. Including but not limited to continuing education, DOJ, (Department of Justice Certification), CPIM Certifications, Sunshine Laws Certification, SAM Registration, Grants.gov registration and administration.
- Ensures Administration is compliant with all activities of the City's TIF (Tax Increment Financing) programs.
- Assists in the application of all grant programs, awards, post issuance closure of grant programs.
- Provides leadership and motivation for all subordinates of the department, promoting unity and cohesion, and maintaining positive working relationships between all department personnel and other city officials and employees, as well as other state, county, and local officials
- Ensures compliance with federal regulations, city ordinances and policies, state statutes, and environmental regulations to secure the safe and efficient operation of the department
- Directs the planning and conduct of adequate and proper training for department personnel and evaluates the performance of department employees if necessary
- Participates as a management bargaining team member in collective bargaining efforts
- Properly and fairly administers the provisions of all relative collective bargaining agreements in consultation with the Human Resources, Safety Director, Director of Public Works and Mayor
- Oversees the bidding and purchasing of supplies, equipment, and services utilized by the department and controls expenditures in accordance with city policies
- Coordinates department activities with the city's engineer in matters relative to public improvements, construction, and repair projects and makes recommendations for improvements to the Mayor

- Oversees the repair of departmental equipment and maintenance of city buildings and grounds as directed
- Prepares and reviews correspondence, records, and reports timely
- Attends various council committees, Airport Commission and Council Meetings
- Supervises and reviews legislation and ordinances relative to the areas of responsibility involved
- Monitors the quality, quantity, and standards of subcontracted work of the department
- Continuously reviews programs of Public Services activities and makes recommendations to the Mayor for improvements, alterations, or changes
- Utilizes available technology to promote the efficient and effective operations of the department
- Safeguards the confidentiality of city administration by exercising appropriate discretion in communicating information to employees, residents, property owners, officials, administrators, consultants, and the general public and in handling departmental records and files, personal actions, performance evaluations, merit, promotion, and tenure decisions and similar confidential materials
- Performs other related manual labor and administrative functions as required to preserve the integrity of Public Services structures, facilities, and projects, to foster good public relations, or as assigned by the Mayor
- All other duties as assigned by the Mayor

QUALIFICATIONS: To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

Graduation from an accredited four-year college or university with a degree in public administration, finance, business administration, engineering or a closely related field or in the alternative, at the discretion of the Mayor, work experience in a position or level providing for capabilities determined equivalent to ensure competence.

Language Skills

Ability to: read, analyze, and interpret the most complex documents; respond effectively to the most sensitive inquiries or complaints; write speeches and make effective and persuasive speeches and presentations on controversial or complex topics to supervisors, City Council, public groups, and others.

Mathematical Skills

Ability to; apply advanced mathematical concepts such as exponents, logarithms, quadratic equations, and permutations; mathematical operations to such tasks as frequency distribution, determination of test reliability and validity, analysis of variance, correlation techniques, sampling theory, and factor analysis.

Reasoning Ability

Ability to define problems, collect data, establish facts, and draw valid conclusions; interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.

Computer Skills

Should have knowledge of and skill in the use of the Internet, Database, Design, Development, Project Management, Spreadsheet, and Word software.

Certificates, Licenses, Registrations

A valid Ohio Driver's License must be without restrictions of any privilege to drive at any time and is free from any requirement of High Risk Liability Insurance.

Other Skills and Abilities

Comprehensive knowledge of municipal services; thorough knowledge of modern principles and practices of contract administration and business administration. Ability to plan, organize, coordinate and implement administrative responsibilities, ability to establish and maintain effective working relationships with Council, employees, supervisors, other agencies and public.

PHYSICAL DEMANDS: The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The employee is: regularly required to use hands to finger, handle, or feel; reach with hands and arms and talk or hear; frequently required to stand; walk; sit and smell; occasionally required to climb or balance and stoop, kneel, crouch, or crawl; frequently lifts and/or moves up to 50 pounds. Specific vision abilities include close, distance, color and peripheral vision; depth perception and ability to adjust focus.

The supervision of employees and inspection or surveying of work sites requires the ability to traverse various terrains on foot.

WORK ENVIRONMENT: The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The employee is: occasionally exposed to moving mechanical parts and outside weather conditions; occasionally exposed to wet and/or humid conditions; high, precarious places; fumes or airborne particles; toxic or caustic chemicals; risk of electrical shock and vibration. The noise level is usually quiet to moderate.

Occasionally work is done at other locations and travel is required to those sites. The position may require travel for purpose of attending training workshops or conferences.

ORDINANCE NO. 2020 - _____

ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN
THE OFFICE OF THE LAW DIRECTOR FOR THE YEAR ENDING
DECEMBER 31, 2020.

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

Section 1. That there be an additional appropriation made in the Office of the Law Director, Professional Services line item in the amount of \$ 3,000.00 for the year ending December 31, 2020, as follows:

GENERAL FUND

Office of the Law Director

Professional Services	101.1013.5402	\$ 3,000.00
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Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

PRESIDENT OF COUNCIL

PASSED:

APPROVED:

MAYOR

ATTEST:

CLERK

