

July 1, 2019

Members present: Mr. Landon, Mr. Huddle, Mrs. Blevins

With a quorum present, Mr. Landon called the meeting to order at 6:35.

MINUTES:

Mr. Huddle made a motion to approve the minutes of 04/16/2019 and 05/06/2019 and 05/21/2019; Mrs. Blevins 2nd; Roll Call – Ayes: Mr. Landon, Mr. Huddle, Mrs. Blevins
Minutes of 04/16/2019, 05/06/2019, and 05/21/2019 approved (3-0)

OLD BUSINESS:

NEW BUSINESS:

Item 1. LIQUOR PERMIT: 179-81 N MAIN STREET, (M CITY IMBIBE, LLC DBA SHOVEL CITY DRINKERY) D5

No objections indicated by police or fire departments.

Mr. Huddle made a motion to take no action; Mrs. Blevins 2nd; Roll Call – Ayes: Mr. Landon, Mr. Huddle, Mrs. Blevins

No action taken on permit request; no hearing requested (3-0)

Item 2. LIQUOR PERMIT: 887 E CENTER ST, (AMRUT LLC DBA MARION FOOD MART) C1 C2

No objections indicated by police or fire departments.

Mr. Huddle made a motion to take no action; Mrs. Blevins 2nd; Roll Call – Ayes: Mr. Landon, Mr. Huddle, Mrs. Blevins

No action taken on permit request; no hearing requested (3-0)

Item 3. LIQUOR PERMIT: 885 E CENTER ST, (DHARMA LLC DBA MARION MARATHON) C1 C2

No objections indicated by police or fire departments.

Mrs. Blevins made a motion to take no action; Mr. Huddle 2nd; Roll Call – Ayes: Mr. Landon, Mr. Huddle, Mrs. Blevins

No action taken on permit request; no hearing requested (3-0)

Item 4. DISCUSSION: SCRAP TIRE LEGISLATION

Mayor Schertzer advised the committee that Law Director Russell had done some research on inappropriate disposal of tires throughout the community. Information is included in packets to council members. Most of this is covered by ORC and enforced

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by the EPA. Council needs to consider whether there is additional legislation that they might want to proceed with.

Law Director Russell stated that the code enforcement/compliance officer and department of health representative have been working with EPA regarding enforcement. The state of Ohio has enacted comprehensive measures to try to control scrap tires. ORC says, "no municipality shall adopt more stringent standards than the statewide comprehensive uniform standard." He believes that tools are available to them and they are learning how to use them better. Tire facilities are required to maintain logs regarding scrap tires leaving that facility. If they fail to do that, they will be charged. Failure to comply is a felony with a significant penalty. The penalties apply to people transporting more than 10 tires. Law enforcement locally can be on the lookout for individuals transporting more than 10 tires to try to stop these dump sites they have been seeing locally.

Mr. Daniels referred to ORC 3734.80 about not requiring additional regulations. He believes that the city has some discretion in regulation. He said there is no reason that anyone should be accumulating 20 or more tires in their yard. It is a community health concern because these tires retain water and create a breeding ground for mosquitos in the most populous area of the county. Once tires accumulate, they are difficult to get rid of. There is not enough grant money to clean up tires all over the county. There are multiple locations, including alleys, where tires are accumulating. Council needs to take some type of legislative action to prevent people from accumulating tires on private property in residential areas. If the resident makes the argument that they do auto repair, then there may be a zoning issue on a residential property as well. The Chief Deem responded to him that for situations where tires are stockpiled in a vacant house, they would not put out the fire. They would put water on the outside and let it burn and it would burn for a long time. He does not think they would be able to store in vacant houses (residential property) either. EPA does not address this. They address people who are in the business of tires. It bothers him that some businesses will pay individuals to haul away tires that are being disposed of improperly and creating this problem.

Mayor Schertzer clarified that Officer Casey Thomas is a law enforcement official. He has right, responsibility, and duty to enforce the ORC. They continue to meet and will discuss how to utilize the code enforcement officer for these types of violations. The ORC provided tonight is a starting point and then they can determine what they might want to add to codified ordinances.

Sulu Kelley 365 E. Farming landlord recently had an eviction and found that the garage was completely full of tires. It is something they struggle with as well.

Items not on the agenda:

None

There being no further business, Mr. Landon adjourned the meeting at 6:52 PM.

Minutes of Legislation Codes & Regulations Meeting

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Chairman Landon

Clerk of Council