



**MINUTES
COMMITTEE MEETING
LEGISLATION AND CODES
10/19/2020 at 6:45PM**

Roll Call:

Members present: Daniels (chair), Schaber, Thomas
Meeting called to order at 7:16 PM.

Old Business:

Item 1. ORDINANCE OF THE COUNCIL OF THE CITY OF MARION OHIO, UTILIZING AUTHORITIES GRANTED BY OHIO REVISED CODE, REPLACING THE BOARD OF ZONING APPEALS WITH CITY PLANNING COMMISSION, AMENDING ALL NECESSARY CODIFIED ORDINANCES/ RESOLUTIONS IT HAVING DETERMINED A REAL AND PRESENT NEED TO FURTHER STREAM LINE LOCAL GOVERNMENT AND DECLARING AN EMERGENCY (Daniels/Mayor)

Law Director Russell explained that more detail has been added about the composition of the board to include representatives from each ward, in addition to the statutory members mandated by the Ohio Revised Code. Mayor Schertzer explained that they will replace members under these guidelines as terms expire for current members. Terms will be staggered. Members are recommended by Mayor and approved by City Council.

It was confirmed that the statutory members (Mayor, Safety/Service, and Parks Commission Chair) are voting members of the City Planning Commission. Mr. Neff stated that he would not support this legislation. Mr. Schaber clarified that the function and responsibility of the BZA will still exist but just be under the role of the City Planning. Mr. Schaber also clarified that all appeals will go to council first, and then could be further appealed to common pleas court. No layers are being removed, only made consistent and allowing for a council review.

Mr. Daniels stated that the current organization concerns him after his recent attendance at a meeting. He would like to have a more expedited process. Both committees put together gives the city a better opportunity to educate the members on the scope of their job. There were things being entertained at the last meeting that were not relevant to considering a variance. There are very specific reasons to grant a variance. Things like insurance coverage are not a consideration. He likes the fact that it can be appealed to the elected members of the council. He was very disturbed by that meeting, the conclusions that were made that night, as well as

the time that it took to correct the situation. He believes that this will help the city to be smaller and more responsive.

Mr. Neff stated that he believed that the questions related to the applicant and what they were trying to do were really good. He said that individuals are trying to work outside the framework and that is why questions need to be asked. He thought it was going well until Mr. Daniels and Mr. Smith (Zoning Inspector) spoke unprofessionally to the members of the BZA. He believes this is why this legislation is even here. He states that Mr. Daniels told the BZA that he was going to the Mayor and members would be removed who are not doing what he likes. That is why he is not for combining the groups.

Mr. Daniels said that the board had never been educated about what BZAs do. He was also concerned about how the applicants were treated. He said because Mr. Neff, Mrs. Neff, and Habitat for Humanity did not want someone else building affordable housing, they threw up every dispersion, The applicants were denied their rights to file an application because of the problems that were caused. Yes, he did say that issues would be addressed to assure that BZA members .

Thomas made a motion to approve; Schaber 2nd. Roll Call: Ayes – Daniels, Schaber, Thomas:
Nays -- none

Legislation recommended to council (3-0)

Item 2. A RESOLUTION TO ENACT THE SMALL BUSINESS WORKING CAPITAL GRANT PROGRAM (Neff)

Schaber made a motion to approve; Thomas 2nd. Roll Call: Ayes – Daniels, Schaber, Thomas:
Nays -- none

Special Meeting set up for 10/21/2020 at 6:30 PM on Zoom (3-0)

New Business:

Item 1. LIQUOR LICENSE APPLICATION: HARDING HARBOR SEAFOOD, 267 W CENTER ST

No concerns reported by police or fire.

Thomas made a motion to take no action; Schaber 2nd. Roll Call: Ayes – Daniels, Schaber, Thomas: Nays -- none

Legislation recommended to council (3-0)

Item 2. LIQUOR LICENSE APPLICATION: MI RANCHO GROCERY STORE LLC, 170 BARKS ROAD

Thomas made a motion to take no action; Schaber 2nd. Roll Call: Ayes – Daniels, Schaber, Thomas: Nays -- none

Legislation recommended to council (3-0)

No concerns reported by police or fire.

Item 3. DISTRIBUTION FULL LIST OF LIQUOR LICENSE RENEWALS FOR 02/2021 (ROSE) – NO ACTION NEEDED

There being no further business to come before this committee, the chair adjourned the meeting at 8:40 PM.

Josh Daniels, Chair

Tarina R. Rose, Council Clerk