

AGENDA
CITY COUNCIL MEETING
August 8, 2017 7:00 P.M.

Pledge of Allegiance

Invocation: Dwayne Castle – Tabernacle of Praise

Roll Call – Council, Elected Officials/SSD

1. Approve minutes – July 25, 2017– Regular Meeting
2. Approve agenda
3. Citizens desiring to address Council
 - a. Speaker forms available at end of Council table. If you would like to address Council, please fill out the form and submit to Council President prior to meeting.
 - b. Please stand.
 - c. Give name and address.
 - d. Be specific on suggestions to Council or requests of Council.
 - e. Please limit your remarks to no more than five minutes.
 - f. Address your remarks to the whole Council through the President of Council.
 - g. Refrain from getting into a conversation with a member of the audience or an individual Council member during your presentation.
 - h. Following your presentation, the Council President will recognize individual Council members to ask you questions.
4. Public Hearing – Rezoning of Outlot 921
5. Legislation
 - a. Ordinance No. 2017-44 (1st Reading)
Rescinding Ordinance No. 2017-36
 - b. Ordinance No. 2017-45 (1st Reading)
Rescinding Ordinance No. 2017-37
 - c. Ordinance No. 2017-49 (1st Reading)
Adopt 2017 Codified Ordinance Replacement Pages
 - d. Ordinance No. 2017-50 (1st Reading)
Rezoning Outlot 921
6. Other Business
7. Elected Official Reports (if desired)
 - a. Auditor – Brian Treisch
 - b. Treasurer – Rodney Sparks
 - c. Director of Law – Thomas Palmer
8. Mayor’s Report
9. President of Council Comments
10. Adjournment

5a

ORDINANCE NO. 2017-44

AN ORDINANCE RESCINDING ORDINANCE NO. 2017-36 RELATING TO THE ISSUANCE AND SALE OF NOTES AUTHORIZED IN THAT ORDINANCE, AND DECLARING AN EMERGENCY.

WHEREAS, this Council passed Ordinance No. 2017-36 on June 27, 2017 (the "Note Ordinance") authorizing the issuance and sale of notes of the City in the principal amount of \$124,000 (the "Notes") for the purpose of paying the costs of acquiring a mower for use by the City's storm water system, together with all necessary appurtenances thereto and to pay any financing costs; and

WHEREAS, it has been determined that the city cannot proceed with this issuance due to Ohio Revised Code 5705.02 and the debt limitations it imposes for the county.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Galion, Crawford County and Richland County, Ohio, that:

Section 1. Ordinance No. 2017-36 passed on June 27, 2017 be and is hereby rescinded in its entirety and said debt will not be issued.

Section 2. That this Ordinance shall be published in accordance with Ohio Revised Code 731.21 and 731.22.

Section 3. That in order to preserve the public peace, health, safety, and welfare of the City of Galion and its inhabitants, and in order properly show debt in which the city has issued this measure is determined to be an emergency Ordinance, and shall take effect and be in force immediately upon the earliest time allowed by law after its passage.

Carl W. Watt, President of Council

ATTEST:

Julie L. Bell, Clerk of Council

APPROVED AS TO FORM: _____
Thomas N. Palmer, Law Director

PRESENTED TO MAYOR ON: _____

APPROVED: _____
THOMAS M. O'LEARY, MAYOR (Date)

ADOPTED ON FIRST READING _____
DATE

ADOPTED ON SECOND READING _____
DATE

ADOPTED ON THIRD READING _____
DATE

VOTE ON FINAL READING

	<u>YEA</u>	<u>NAY</u>
MR. BALDINGER	___	___
MS. BEAN	___	___
MS. CLARK	___	___
MR. COMERFORD	___	___
DR. FELLNER	___	___
MR. HEDGES	___	___
MR. TRIPLETT	___	___

I, Julie L. Bell, Clerk of Galion City Council hereby certify that this is a true and correct copy of Ordinance No. 2017-44 passed by Galion City Council at a Regular Meeting held on _____, 2017.

Julie L. Bell, Clerk of Council

5b

ORDINANCE NO. 2017-45

AN ORDINANCE RESCINDING ORDINANCE NO. 2017-37 RELATING TO THE ISSUANCE AND SALE OF NOTES AUTHORIZED IN THAT ORDINANCE, AND DECLARING AN EMERGENCY.

WHEREAS, this Council passed Ordinance No. 2017-37 on June 27, 2017 (the "Note Ordinance") authorizing the issuance and sale of notes of the City in the principal amount of \$731,000 (the "Notes") for the purpose of paying the costs of improving various public infrastructure improvements within and serving the Brandt Road Area, including but not limited to the design and construction of approximately 500 lineal feet of roadway to access Brandt Road including the costs to widen and improve the intersection of State Route 598 and Brandt Road and costs to construct and add three lanes and turn lanes, construction of approximately 520 lineal feet of sanitary sewer, the installation of a lift station along State Route 598 and Brandt Road and construction of the necessary storm water drainage systems for the property, together with all incidental work and related appurtenances thereto and to pay any financing costs; and

WHEREAS, it has been determined that the city cannot proceed with this issuance due to Ohio Revised Code 5705.02 and the debt limitations it imposes for the county.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Galion, Crawford County and Richland County, Ohio, that:

Section 1. Ordinance No. 2017-37 passed on June 27, 2017 be and is hereby rescinded in its entirety and said debt will not be issued.

Section 2. That this Ordinance shall be published in accordance with Ohio Revised Code 731.21 and 731.22.

Section 3. That in order to preserve the public peace, health, safety, and welfare of the City of Galion and its inhabitants, and in order properly show debt in which the city has issued this measure is determined to be an emergency Ordinance, and shall take effect and be in force immediately upon the earliest time allowed by law after its passage.

Carl W. Watt, President of Council

ATTEST:

Julie L. Bell, Clerk of Council

APPROVED AS TO FORM: _____
Thomas N. Palmer, Law Director

PRESENTED TO MAYOR ON: _____

APPROVED: _____
THOMAS M. O'LEARY, MAYOR (Date)

ADOPTED ON FIRST READING _____
DATE

ADOPTED ON SECOND READING _____
DATE

ADOPTED ON THIRD READING _____
DATE

VOTE ON FINAL READING

	<u>YEA</u>	<u>NAY</u>
MR. BALDINGER	_____	_____
MS. BEAN	_____	_____
MS. CLARK	_____	_____
MR. COMERFORD	_____	_____
DR. FELLNER	_____	_____
MR. HEDGES	_____	_____
MR. TRIPLETT	_____	_____

I, Julie L. Bell, Clerk of Galion City Council hereby certify that this is a true and correct copy of Ordinance No. 2017-45 passed by Galion City Council at a Regular Meeting held on _____, 2017.

Julie L. Bell, Clerk of Council

5c

ORDINANCE NO. 2017-49

AN ORDINANCE TO ADOPT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GALION, STATE OF OHIO:

Section 1: That the ordinances of the City of Galion , Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2017 Replacement Pages to the Codified Ordinances, are hereby approved and adopted.

Section 2: That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

- 301.04 Bicycle; Motorized Bicycle; Moped. (Amended)
- 301.19 Motorcycle. (Amended)
- 303.081 Impounding Vehicles on Private Residential Property. (Amended)
- 303.082 Tow Away Zones. (Amended)
- 313.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal (Amended)
- 331.03 Overtaking, Passing to Left; Driver's Duties.. (Amended)
- 331.21 Right of Way of Public Safety or Coroner's Vehicle. (Amended)
- 331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Added)
- 333.01 Driving Under the Influence. (Amended)
- 335.021 Ohio Driver's License Required for In State Residents. (Added)
- 335.09 Display of License Plates. (Amended)
- 335.111 Registration Within Thirty Days of Residency. (Added)
- 335.12 Stopping After Accident Upon Streets. (Amended)

- 335.13 Stopping After Accident Upon Property Other Than Street. (Amended)
- 373.02 Riding Upon Seats; Handlebars; Helmets and Glasses. (Amended)

General Offenses Code

- 501.01 General Definitions. (Amended)
- 501.06 Limitations of Criminal Prosecution. (Amended)
- 501.071 Cruelty to Companion Animals. (Amended)
- 513.02 Gift of Marihuana. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
- 513.04 Possessing Drug Abuse Instruments. (Amended)
- 513.05 Permitting Drug Abuse. (Amended)
- 513.07 Possessing or Using Harmful Ingredients. (Amended)
- 513.08 Illegally Dispensing Drug Samples. (Amended)
- 513.11 Possessing Nitrous Oxide in Motor Vehicle. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.121 Marihuana Drug Paraphernalia. (Amended)
- 513.13 Counterfeit Controlled Substances (Amended)
- 525.05 Failure to Report a Crime, Injury or Knowledge of a Death. (Amended)
- 525.15 Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
- 527.01 Liquor Control Definitions. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 537.051 Menacing by Stalking. (Amended)
- 537.10 Telecommunications Harassment. (Amended)
- 537.17 Criminal Child Enticement. (Amended)
- 537.18 Contributing to Child Delinquency. (Amended)
- 541.02 Arson. (Amended)
- 541.04 Criminal Mischief. (Amended)
- 541.09 Vehicular Vandalism. (Amended)
- 549.01 Weapons Definitions. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.04 Improperly Handling a Firearm in a Motor Vehicle. (Amended)

Section 4: That this ordinance shall be published in accordance with Ohio Revised Code

Sections 731.21 and 731.22.

Section 5: That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety of the City of Galion and for the further reason that there exists an imperative necessity for the earliest publication and distribution of current replacement pages to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid practical and legal entanglements and shall take effect immediately upon its passage.

CARL W. WATT
PRESIDENT OF COUNCIL

ATTEST:

JULIE L. BELL
CLERK OF COUNCIL

APPROVED AS TO FORM:

THOMAS N. PALMER
DIRECTOR OF LAW

PRESENTED TO MAYOR ON: _____

APPROVED: _____
THOMAS M. O'LEARY, MAYOR (Date)

ADOPTED ON FIRST READING: _____
DATE

ADOPTED ON SECOND READING: _____
DATE

ADOPTED ON THIRD READING: _____
DATE

VOTE ON FINAL READING	<u>YEA</u>	<u>NAY</u>
MR. BALDINGER	_____	_____
MRS. BEAN	_____	_____
MS. CLARK	_____	_____
MR. COMERFORD	_____	_____
DR. FELLNER	_____	_____
MR. HEDGES	_____	_____
MR. TRIPLETT	_____	_____

5d

ORDINANCE NO. 2017-50

ENTITLED AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE CITY OF GALION PLANNING COMMISSION AND RE-ZONING PARCEL 48-00-08697-001, ALSO KNOWN AS OUTLOT 921, FROM (RE) RURAL ESTATE, TO (GC) GENERAL COMMERCIAL, AND DECLARING AN EMERGENCY

WHEREAS, the City of Galion Planning Commission has recommended the re-zoning of Parcel 48-00-08697-001, also known as Outlot 921, from (RE) Rural Estate to (GC) General Commercial, and

WHEREAS, Galion City Council has conducted a Public Hearing on this recommendation pursuant to the Ohio Revised Code, at which time all interested persons had an opportunity to be heard on this matter, and

WHEREAS, Galion City Council finds that the proposed re-zoning is consistent with the orderly development of and in the best interests of the City of Galion.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GALION, STATE OF OHIO:

Section 1. That Parcel No. 48-00-08697-001, also known as Outlot 921, is hereby re-zoned from its current classification as (RE) Rural Estate to (GC) General Commercial.

Section 2. That this ordinance shall be published in accordance with applicable Ohio law.

Section 3. That in order to preserve the public, peace, health, safety and welfare of the City of Galion and its inhabitants, and to facilitate a pending economic development project which will greatly benefit the same, it shall take effect and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage.

CARL W. WATT
PRESIDENT OF COUNCIL

ATTEST:

JULIE L. BELL
CLERK OF COUNCIL

APPROVED AS TO FORM:

THOMAS N. PALMER
DIRECTOR OF LAW

PRESENTED TO MAYOR ON: _____

APPROVED: _____
THOMAS M. O'LEARY, MAYOR (Date)

ADOPTED ON FIRST READING: _____
DATE

ADOPTED ON SECOND READING: _____
DATE

ADOPTED ON THIRD READING: _____
DATE

VOTE ON FINAL READING	<u>YEA</u>	<u>NAY</u>
MR. BALDINGER	_____	_____
MRS. BEAN	_____	_____
MS. CLARK	_____	_____
MR. COMERFORD	_____	_____
DR. FELLNER	_____	_____
MR. HEDGES	_____	_____
MR. TRIPLETT	_____	_____