

AGENDA
CITY COUNCIL MEETING
September 11, 2018 7:00 P.M.

Pledge of Allegiance

Invocation: Ash Welch – St. Paul United Methodist Church

Roll Call – Council, Elected Officials/SSD

1. Approve minutes: August 28, 2018 – 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 and move to the microphone.
 - 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 – Zoning / Rezoning of Outlots 915, 916, and 917.
5. Legislation
 - a. Ordinance No. 2018-56 (1st Reading)
Zoning / Rezoning of Outlots 915,916, and 917
 - b. Ordinance No. 2018-57 (1st Reading)
Correcting Section 8 of Ordinance No. 2018-52
 - c. Ordinance No. 2018-58 (1st Reading)
Amending 945.01 re: gas motors
 - d. Ordinance No. 2018-59 (1st Reading)
Amending 2018 Appropriations
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. 2018-56

ENTITLED AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE CITY OF GALION PLANNING COMMISSION AND RE-ZONING OUTLOT NO. 917 FROM ZONING CLASSIFICATION RE (RURAL ESTATE) TO GC (GENERAL COMMERCIAL, ZONING OUTLOT 916 AS ZONING CLASSIFICATION R1B (SINGLE FAMILY RESIDENCE) ZONING OUTLOT 915 AS ZONING CLASSIFICATION R1C (SINGLE FAMILY RESIDENCE).

WHEREAS, the City of Galion Planning Commission has recommended the re-zoning of Outlot 917 from Zoning Classification RE (Rural Estate) to Zoning Classification GC (General Commercial); and

WHEREAS, the City of Galion Planning Commission has recommended that Outlot 916 be classified as R-1B (Single Family Residence); and

WHEREAS, the City of Galion Planning Commission has recommended that Outlot 915 be classified as R-1C (Single Family Residence); 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. Outlot 917 be rezoned from zoning classification RE (Rural Estate) to GC (General Commercial); that Outlot 916 be zoned as zoning classification R-1B (Single Family Residence); and Outlot 915 be zoned as zoning classification R-1C (Single Family Residence).

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

Section 3. That this ordinance shall be effective at 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	_____	_____
MS. CLARK	_____	_____
MR. COMERFORD	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

5b

ORDINANCE NO. 2018-57

ENTITLED AN ORDINANCE AMENDING AN ERROR MADE IN SECTION 8 OF ORDINANCE NO. 2018-52 AND DECLARING AN EMERGENCY.

WHEREAS, Section 8 of Ordinance No. 2018-52 was passed as follows:

That Twenty-Five Thousand Dollars (\$25,000) be transferred from funds appropriated in 101-7020-52503 – General Fund – Mayor / Contractual Services – Other Technical Services to 101-4020-52503- General Fund – Community Environment-Escrow CDBG/ Capital Outlay - Buildings.

and,

WHEREAS, an error was made in the account number for contractual services, other technical services that needs to be corrected.

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

Section 1. That Twenty-Five Thousand Dollars (\$25,000) be transferred from funds appropriated in 101-7020-52317 – General Fund – Mayor / Contractual Services – Other Technical Services to 101-4020-52503- General Fund – Community Environment-Escrow CDBG/ Capital Outlay -Buildings.

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 in order to make the appropriation adjustments in the Permanent 2018 appropriations without delay to meet pending obligations, this measure is determined to be an emergency Ordinance and shall take effect at the earliest time allowed by law after its passage.
Ordinance No. 2018-52

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	_____	_____
MS. CLARK	_____	_____
MR. COMERFORD	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

5c

ORDINANCE NO. 2018-58

ENTITLED AN ORDINANCE AMENDING SECTION 945.01 OF THE CITY OF GALION CODIFIED ORDINANCES

WHEREAS, Section 945 of the City of Galion Codified Ordinances currently reads as follows:

945.01 RESERVOIRS.

The following regulations shall apply to all reservoirs, and to the lands surrounding these reservoirs owned by the City.

No person shall:

(a) Injure, remove, deface, damage or destroy any tree, plant, lawn embankment, decoration, poster, sign, building or fence on the premises.

(b) Disturb, remove, damage, destroy, molest or possess any equipment or property of the City or of the State Division of Wildlife or of any other person, firm, corporation, governmental agency or political subdivision.

(c) Commit any act by use or operation of any motor vehicle on any of the premises, which act if committed on a public highway or street in the State would be prohibited and unlawful.

(d) Operate a motor vehicle or permit a motor vehicle to be driven on the lands, except on designated roads and driveways provided for such purposes without first obtaining written permission from the Mayor.

(e) Dump rubbish, garbage, refuse or debris of any kind upon the lands, except in places and within receptacles provided by the City. No person shall deposit in these places or within these receptacles any rubbish, garbage, refuse or debris accruing from any place or area other than on the aforementioned lands.

(f) Remove ice, sand, gravel, stone, wood, fruits or other substances from the lands without first obtaining written permission from the Mayor; provided, however, that this provision shall not prevent berry picking, mushroom picking or nut picking.

(g) On the lands, sell, offer for sale or have in his or its possession with intent to sell or expose for sale, any article of food, frozen dessert, ice cream, imitation ice cream, frozen custard, milk, sherbets, candy, cake, coffee, soda pop, confectionery, jewelry, wearing apparel, motor vehicle, bicycle, watercraft, marine equipment, bait or any other tangible property, without first obtaining the written permission of the Mayor.

(h) Erect or post on the lands any placard, sign, notice, poster or billboard without the written permission of the Mayor.

(i) Swim, bathe or wade in the waters of the reservoirs.

(j) Skate or sled upon or over the ice upon the reservoirs.

(k) Place, use, operate or permit to be used or operated any boat, raft, canoe, inner tube, float or other similar device in, on or under the waters of the reservoirs except that boats may be placed on and in the water of all reservoirs if operated in accordance with the following regulations:

(1) Rowboats, sailboats and canoes shall be permitted on all reservoirs between the hours of 5:00 a.m. and 11:00 p.m. only.

(Ord. 91-5884. Passed 4-9-91.)

(2) Sailboats and rowboats shall be limited to fourteen feet in length.

(3) Boats shall be of the type authorized under the laws of the State and must be duly licensed pursuant to the laws of the State.

(4) Boats shall be operated pursuant to the Operation and Safety Laws and rules provided by the State.

(5) Boats must carry lights as provided by the laws of the State.

(6) Boats must be launched and removed from the reservoirs at the places provided for such purposes by the City or the State, and boat ramps must remain clear.

(7) Boats must be removed from the reservoirs and City-owned lands by 11:00 p.m. each day and not be returned before 4:00 a.m. of the next day.

(8) The Mayor is authorized to stop or have stopped the use of all boats on the reservoirs upon the posting of notice thereof if, in his opinion, conditions of safety or sanitation of the reservoirs require the action. Any person using or operating a boat on the reservoirs agrees by usage and/or operation to be subject to the orders and directions of the Mayor.

(9) No person shall place himself in, on or under the waters of the reservoirs. Fishing shall be permitted only from the banks of the reservoirs and from boats in all reservoirs operated in accordance with this subsection (k).

(l) Nothing in this section shall be construed to prevent ice fishing, fishing through the ice of the reservoirs being hereby expressly permitted.

(m) Erect, install, place or suffer to remain any ice fishing shanty on the ice of the reservoirs or elsewhere on the premises of the reservoirs, other than collapsible shanties which may be used provided they are removed from the premises of the reservoirs prior to closing time each day, and

WHEREAS, Council is desirous of maintaining recreational opportunities on the City's reservoirs while at the same time it recognizes the impact that certain types of uses may have on the facility as well as to the waters and grounds therein, and also to the City's utility system.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF GALION, CRAWFORD COUNTY, OHIO, THAT:

Section 1: That Section 945.01 of the City of Galion Codified Ordinances be changed to read as follows:

945.01 RESERVOIRS.

The following regulations shall apply to all reservoirs, and to the lands surrounding these reservoirs owned by the City.

No person shall:

(a) Injure, remove, deface, damage or destroy any tree, plant, lawn embankment, decoration, poster, sign, building or fence on the premises.

(b) Disturb, remove, damage, destroy, molest or possess any equipment or property of the City or of the State Division of Wildlife or of any other person, firm, corporation, governmental agency or political subdivision.

(c) Commit any act by use or operation of any motor vehicle on any of the premises, which act if committed on a public highway or street in the State would be prohibited and unlawful.

(d) Operate a motor vehicle or permit a motor vehicle to be driven on the lands, except on designated roads and driveways provided for such purposes without first obtaining written permission from the Mayor.

(e) Dump rubbish, garbage, refuse or debris of any kind upon the lands, except in places and within receptacles provided by the City. No person shall deposit in these places or within these receptacles any rubbish, garbage, refuse or debris accruing from any place or area other than on the aforementioned lands.

(f) Remove ice, sand, gravel, stone, wood, fruits or other substances from the lands without first obtaining written permission from the Mayor; provided, however, that this provision shall not prevent berry picking, mushroom picking or nut picking.

(g) On the lands, sell, offer for sale or have in his or its possession with intent to sell or expose for sale, any article of food, frozen dessert, ice cream, imitation ice cream, frozen custard, milk, sherbets, candy, cake, coffee, soda pop, confectionery, jewelry, wearing apparel, motor vehicle, bicycle, watercraft, marine equipment, bait or any other tangible property, without first obtaining the written permission of the Mayor.

(h) Erect or post on the lands any placard, sign, notice, poster or billboard without the written permission of the Mayor.

(i) Swim, bathe or wade in the waters of the reservoirs.

(j) Skate or sled upon or over the ice upon the reservoirs.

(k) Place, use, operate or permit to be used or operated any boat, raft, canoe, inner tube, float or other similar device in, on or under the waters of the reservoirs except that boats may be placed on and in the water of all reservoirs if operated in accordance with the following regulations:

(1) Rowboats, sailboats and canoes shall be permitted on all reservoirs between the hours of 5:00 a.m. and 11:00 p.m. only.

(2) Sailboats and rowboats shall be limited to fourteen feet in length.

(3) Boats shall be of the type authorized under the laws of the State and must be duly licensed pursuant to the laws of the State.

(4) Boats shall be operated pursuant to the Operation and Safety Laws and rules provided by the State.

(5) Boats must carry lights as provided by the laws of the State.

(6) No sailboat, rowboat, canoe, or any other boat with a gasoline-powered motor may be operated on any reservoir.

(7) Boats must be launched and removed from the reservoirs at the places provided for such purposes by the City or the State, and boat ramps must remain clear.

(8) Boats must be removed from the reservoirs and City-owned lands by 11:00 p.m. each day and not be returned before 4:00 a.m. of the next day.

(9) The Mayor is authorized to stop or have stopped the use of all boats on the reservoirs upon the posting of notice thereof if, in his opinion, conditions of safety or sanitation of the reservoirs require the action. Any person using or operating a boat on the reservoirs agrees by usage and/or operation to be subject to the orders and directions of the Mayor.

(10) No person shall place himself in, on or under the waters of the reservoirs. Fishing shall be permitted only from the banks of the reservoirs and from boats in all reservoirs operated in accordance with this subsection (k).

(l) Nothing in this section shall be construed to prevent ice fishing, fishing through the ice of the reservoirs being hereby expressly permitted.

(m) Erect, install, place or suffer to remain any ice fishing shanty on the ice of the reservoirs or elsewhere on the premises of the reservoirs, other than collapsible shanties which may be used provided they are removed from the premises of the reservoirs prior to closing time each day, and

Section 2: That this Ordinance shall be published in accordance with applicable Ohio Law.

Section 3: That this ordinance shall take effect and be enforce from and after the earliest period allowed by law.

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	_____	_____
MS. CLARK	_____	_____
MR. COMERFORD	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

5d

ORDINANCE NO. 2018-59

**ENTITLED AN ORDINANCE AMENDING ORDINANCE NO. 2017-66
(PERMANENT 2018 APPROPRIATIONS) BY APPROPRIATING FROM
UNAPPROPRIATED FUNDS IN VARIOUS FUNDS AND DECLARING AN
EMERGENCY.**

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

Section 1: That Ordinance No. 2017-66 (Permanent 2018 Appropriations) passed December 13, 2017, be, and the same is hereby amended as delineated in the following sections:

Section 2. That Eight Thousand Two Hundred Fifty Dollars (\$8,250) be appropriated from unappropriated funds to 601-5090-52504- Water Fund – Utility Billing / Capital Outlay - Vehicles.

Section 3. That Eight Thousand Two Hundred Fifty Dollars (\$8,250) be appropriated from unappropriated funds to 603-5090-52504- Sewer Fund – Utility Billing / Capital Outlay - Vehicles.

Section 4. That Eight Thousand Five Hundred Dollars (\$8,500) be appropriated from unappropriated funds to 605-5090-52504- Electric Fund – Utility Billing / Capital Outlay - Vehicles.

Section 5: That this Ordinance shall be published in accordance with applicable Ohio Law.

Section 6: That in order to preserve the public peace, health, safety and welfare of the City of Galion and its inhabitants, and in order to make the appropriation adjustments in the Permanent 2018 appropriations without delay to meet pending obligations, this measure is determined to be an emergency Ordinance and shall take effect at 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	_____	_____
MS. CLARK	_____	_____
MR. COMERFORD	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____