

AGENDA  
CITY COUNCIL MEETING  
August 10, 2021 7:00 P.M.

Pledge of Allegiance

Invocation: Pastor Hunter Hickman – Real Life Nazarene

Roll Call – Council, Elected Officials/SSD

1. Approve minutes –
  - a. July 27, 2021 – 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. SWEARING IN OF POLICE OFFICERS

- Brooklyn Potter
- Matthew Roshon
- John Wallis

5. Legislation

- |                                                                                 |                           |
|---------------------------------------------------------------------------------|---------------------------|
| a. Ordinance No. 2021-66<br>Elected Official Salaries                           | (2 <sup>nd</sup> Reading) |
| b. Ordinance No. 2021-69*<br>Chapter 730 – Mobile Food Vendors                  | (1 <sup>st</sup> Reading) |
| c. Ordinance No. 2021-70*<br>Chapter 567 – Equal Opportunity                    | (1 <sup>st</sup> Reading) |
| d. Ordinance No. 2021-71*<br>Amending Section 515.02 Galion Codified Ordinances | (1 <sup>st</sup> Reading) |
| e. Ordinance No. 2021-72*<br>Opioid Settlement                                  | (1 <sup>st</sup> Reading) |

\*needs voted onto the agenda

6. Other Business
7. Elected Official Reports (if desired)
  - a. Auditor – Gail Baldinger
  - b. Treasurer – Rodney Sparks
  - c. Director of Law – Thomas Palmer
8. Mayor’s Report
9. President of Council Comments
10. Adjournment

5a

**ORDINANCE NO. 2021-66**

**ENTITLED AN ORDINANCE AMENDING ORDINANCE NO. 2013-53, ESTABLISHING SALARIES AND FRINGE BENEFITS FOR THE MAYOR, AUDITOR, TREASURER, LAW DIRECTOR, AND PRESIDENT OF COUNCIL FOR THE TERMS OF OFFICE BEGINNING AT THE EARLIEST TIME ALLOWED BY LAW, AND DECLARING AN EMERGENCY.**

WHEREAS, Salaries for elected officials under the statutory form of government were established by Ordinance No. 2013-29 on April 23, 2013; and

WHEREAS, said salaries were amended on July 30, 2013 by Ordinance No. 2013-53 with Sections 2 and 3 reading as follows:

*Section 2: That although the annualized salaries listed in Section 1 of Ordinance No. 2013-29 applied to seven-month terms for the Mayor, Auditor, Law Director, and President of Council, the Treasurer's salary applied to the two-year and seven-month term of the Treasurer, and those salaries shall remain in effect for those terms; the salaries are now as follows, for the terms of office commencing January 1, 2014 and the Treasurer's term from June 1, 2013 through December 31, 2015; and unless changed by legislative action, these salaries shall remain in effect and apply to future terms of office as well:*

<i><u>Position</u></i>	<i><u>Salary</u></i>
<i>Mayor</i>	<i>\$ 30,000.00</i>
<i>Auditor</i>	<i>\$ 39,902.00</i>
<i>Treasurer</i>	<i>\$ 6,500.00</i>
<i>Law Director</i>	<i>\$ 45,000.00</i>
<i>President of Council</i>	<i>\$ 5,040.00</i>

*The above annual salaries shall be paid by the City on regular bi-weekly, monthly or other periods of payment as determined by the City Auditor.*

Section 3: That Section 2 of Ordinance No. 2013-29 which provides the fringe benefit of health insurance for the Auditor and Law Director is hereby amended to include the terms of office commencing January 1, 2014 and future terms of office as well, unless changed by legislative action. Therefore, the positions of Auditor and Law Director, in addition to their salaries, shall be offered the opportunity to and are entitled to receive and be covered by the health insurance plan provided by the City, with such officers being responsible for paying fifteen percent (15%) of the premium for said coverage. Should the Auditor or Law Director desire dental or vision insurance, that officer may receive that coverage but shall pay one hundred percent (100%) of the premium for dental and/or vision insurance coverage.

and

WHEREAS, a proposal has been made to amend the salaries effective the earliest time allowed by law for the elected officials referenced in this; therefore

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

Section 1: That the salaries listed below for the Mayor, Auditor, Director of Law and President Council would be effective beginning at the earliest time allowed by law:

<u>Position</u>	<u>Salary</u>
Mayor	\$ 55,000.00
Auditor	\$ 44,000.00
Treasurer	\$ 7,000.00
Law Director	\$ 50,000.00
President of Council	\$ 6,000.00

The above annual salaries shall be paid by the City on regular bi-weekly, monthly or other periods of payment as determined by the City Auditor.

Section 2: That the officials occupying the positions of Mayor, Auditor, and Director of Law, in addition to the aforementioned salaries, shall be offered the opportunity to and are entitled to receive and be covered by the Health, Dental, and Vision Insurance plans provided by the City to other eligible employees, at the earliest time allowed by law.

Section 3: That this Ordinance shall be published in accordance with Ohio Revised Code Sections 731.21 and 731.22.

Section 4: That in order to preserve the public peace, health, safety and welfare of the City of Galion and its inhabitants, this measure is determined to be an emergency Ordinance, and provided it receives the affirmative vote of a quorum of the members of Council, 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>
MS. AULT	_____	_____
MR. BODKINS	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. IVY	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

5b



**ORDINANCE NO. 2021-69**

**ENTITLED AN ORDINANCE ENACTING CHAPTER 730 OF  
THE CITY OF GALION CODIFIED ORDINANCES.**

WHEREAS, the city recognizes that mobile food service operations bring a benefit to the citizens and local businesses, and

WHEREAS, the City of Galion seeks to establish regulations in order to create a pleasant and vibrant environment for limited mobile food service operations within its jurisdiction.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Galion, Ohio:

SECTION 1. That Chapter 730 be added to the City of Galion Codified Ordinances to read as follows:

**730.01 PURPOSE.**

(a) The City of Galion (“City”) recognizes and supports the vitality and activity that is created by outdoor business activities within the City and the benefit that mobile food services bring to the City and local businesses.

(b) The purpose of establishing these regulations is to create a pleasant and vibrant environment for local businesses, visitors and residents, to provide an opportunity for limited mobile food services operations at City and/or business or industrial properties, to prevent the obstruction of pedestrian, bicycle and motor vehicle traffic, to ensure that adequate efforts are made to protect the health, safety and welfare of the public by requiring permits for mobile food units and to establish minimum requirements for the permitting operation of such units as defined by the Ohio Fire Code.

**730.02 DEFINITIONS.** When used in this chapter, unless the context otherwise requires, the following terms shall have the following meanings:

(a) Mobile Food Unit shall mean any apparatus or equipment that is used to cook, prepare or serve food, and that routinely changes or can change location and is operated from a moveable vehicle or apparatus, including but not limited to motorized vehicles, trailers, and hand propelled carts.

(b) Limited Use Permit: Approval may be had by permit application issued by the Safety-Service Director by an approved Mobile Food Unit vendor. Limited Use Permits for Mobile Food Units shall limit permission to operate to 3 days each week at a given location. Applications for Limited Use Permits may be made for periods of two months at a time.

Notwithstanding the provisions of this Chapter, City of Galion residents and businesses that have a one-time food truck at their home/business for a private party/catered event taking place over no more than two (2) days are not required to file for a permit and are exempt from this Ordinance.

730.03 SCOPE OF CHAPTER. The owner of a Mobile Food Unit, as defined by the Ohio Fire Code, may submit an application, signed by the property owner authorizing the use of the location if not on public property, and obtain a Limited Use Permit from the Safety-Service Director prior to operating in the City of Galion. A Mobile Food Unit may not operate on property within the City unless it has passed a Fire Department inspection and obtained a Limited Use Permit.

#### 730.04 MOBILE FOOD UNIT REQUIREMENTS.

(a) Each Mobile Food Unit shall contact the City of Galion Fire Department to schedule an inspection. A passed inspection will be valid for one year.

(b) The application fee for a Limited Use Permit shall be \$25 for up to a two month permit to a maximum of \$100.00 per year as long as the permits are for the same location each time. All permits are valid for the dates and months issued.

(c) Mobile Food Units are required to maintain the following certifications: Board of Health approved license to sell food; documentation that the LP gas tank and piping system (where applicable) has been inspected and tested in accordance with all required standards within the last twelve (12) months; and proof of insurance.

Additional required documentation may include other certifications or federal, state or local licensure depending on the type of operation being conducted. Documentation must be provided at time of inspection.

(d) During the inspection, the owner or responsible party shall be present to show, operate, explain and discuss the components of the Mobile Food Unit.

(e) Upon completion of the inspection, the owner or responsible party will be issued a fire safety inspection report detailing the findings of the inspection.

(f) A fire safety inspection report indicating Passing in all fields will be accompanied with an inspection permit which will indicate that the Mobile Food Unit has been permitted and inspected.

(g) A fire safety inspection report indicating Fire Code deficiencies will require the owner or responsible party to take specific action or actions to bring their Mobile Food Unit up to the specified standards required by the Ohio Fire Code and the Galion Codified Ordinances.

(m) The City reserves the right at all times to require a Mobile Food Unit to relocate to alternate location or cease to operate as determined by the enforcement official if the approved location needs to be used for emergency purposes or other public benefit or if in the opinion of the enforcement officer the Mobile Food Unit presents a safety hazard to the public.

(n) Mobile Food Units shall adhere to all applicable parking regulations for commercial vehicles.

## 730.05 OPERATION OF MOBILE FOOD UNITS

(a) **Operation Without Limited Use Permit.** No Mobile Food Unit shall be operated without a valid Mobile Food Unit Limited Use Permit issued pursuant to this Chapter.

(b) **Unattended Vehicles Prohibited.** No Mobile Food Vehicle shall be parked on the street overnight, or left unattended or unsecured at any time food is kept in the Mobile Food Unit. The owner or operator of any Mobile Food Unit found to be in violation of this subsection may be charged with a violation of this chapter.

(c) A Mobile Food Unit may be located within any zoning district, including City of Galion parks and rights of way, except Residential Districts. A Mobile Food Unit found at an unauthorized location, or beyond the dates, times, or hours permitted, shall be in violation of this section and may be subject to enforcement under Section 730.06.

(d) Any property owner that permits a Mobile Food Unit to operate or park on the property without permit shall be in violation of this section and to enforcement under Section 730.99.

(e) Mobile Food Units are prohibited from selling alcoholic beverages.

(f) Mobile Food Units may operate or park for not longer than 12 hours at any given time.

(g) Mobile Food Units may not operate, stop, stand or park in any area that impedes the use of the right-of-way that is intended for use by vehicular travel or that in any way impedes the use of the right-of-way or that present an unsafe condition for any patron, pedestrians, or other vehicles.

(h) Amplified music or other sounds from any Mobile Food Unit may not at any time unreasonably disturb nearby residents, businesses, pedestrians or vehicles.

730.06 **ENFORCEMENT.** (a) **Enforcement.** The provisions of this chapter may be enforced by the City of Galion Police Department, Fire Department, or Building Commissioner.

730.07 **SEVERABILITY.** Should any provision of this chapter be held invalid by a court of competent jurisdiction, then such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

730.99 **PENALTY.** Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a minor misdemeanor for a first offense; for a second offense, such person is guilty of a misdemeanor of the third degree; for a third or subsequent offense, such person shall be guilty of a misdemeanor of the second degree. Whoever is convicted of or pleads guilty to a misdemeanor, or minor misdemeanor shall be sentenced in accordance with Section 729.99. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

SECTION 2. That this Ordinance is enacted pursuant to home rule powers of the City of Galion as set forth at Article XVIII, Section 3 of the Ohio Constitution.

SECTION 3. That this Ordinance shall be published in accordance with Ohio Revised Code Sections 731.21 and 731.22

SECTION 4. That this ordinance shall take effect 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>
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MS. AULT	_____	_____
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MR. BODKINS	_____	_____
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MS. ERLSTEN	_____	_____
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DR. FELLNER	_____	_____
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MR. IVY	_____	_____
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MR. RICHART	_____	_____
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MR. TRIPLETT	_____	_____
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5c

**ORDINANCE NO. 2021-70**

**ENTITLED AN ORDINANCE ENACTING CHAPTER 730 OF  
THE CITY OF GALION CODIFIED ORDINANCES.**

WHEREAS, the City of Galion seeks to establish regulations against discrimination within its jurisdiction.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Galion, Ohio:

SECTION 1. That Chapter 567 – Equal Opportunity be added to the City of Galion Codified Ordinances to read as follows:

**567.01 DEFINITIONS.**

(a) “Advertising” means to make, print, publish, advertise or otherwise disseminate any notice, statement or advertisement, with respect to any employment activity, any business activity, or any educational activity.

(b) “Age” means eighteen (18) years of age or older except as otherwise provided by law.

(c) “Business establishment” means any entity, however organized, which furnishes goods, services or accommodations to the general public. An otherwise qualifying establishment which has membership requirements is considered to furnish service to the general public if its membership requirements consist only of payment of fees or consist only of requirements under which a substantial portion of the residents of the City could qualify.

(d) “Disability” or “disabled” means, with respect to an individual, a physical or mental impairment, a record of such an impairment, or being perceived or regarded as having such impairment. For purposes of this chapter discrimination on the basis of disability means that no covered entity shall discriminate against a qualified individual with a disability because of that individual’s disability. The term “qualified individual with a disability” shall mean an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment positions that the individual holds or desires.

(e) “Discriminate, discrimination or discriminatory” means any act, policy or practice that, regardless of intent, has the effect of subjecting any person to differential treatment as a result of that person’s race, color, creed, religion, national origin, ancestry, disability, marital status, gender, gender identity or expression, sexual orientation, or physical characteristic.

(f) “Educational institution” means any public or private educational institution including an academy, college, elementary or secondary school, extension course, kindergarten, pre-school, nursery school, university, and any business, nursing, professional, secretarial, technical or vocational school.

(g) “Employee” means any individual employed or seeking employment from an employer.

(h) “Employer” means any person who, for compensation, regularly employs four (4) or more individuals, not including the employer’s parents, spouse or children. For purposes of this chapter an employer “regularly” employs four (4) individuals when the employer employs four (4) or more individuals for each working day in any twenty (20) or more calendar weeks in the current or previous calendar year. For purposes of this chapter an “employer” is also any person acting on behalf of an employer, directly or indirectly, or any employment agency.

(i) “Gender” means actual or perceived sex. Sex including previous protections and protections that exist is state or federal law.

(j) “Gender identity or expression” means having or being perceived as having a gender identity or expression whether or not that gender identity or expression is different from that traditionally associated with the sex assigned to that individual at birth.

(k) “Labor organization” means any organization that exists and is constituted for the purpose , in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or of other mutual aid or protection on behalf of employees.

(l) “Person” means a natural person, firm, corporation, partnership or other organization, association or group of persons however arranged.

(m) “Physical characteristic” means a bodily condition or bodily characteristic of any person that is from birth, accident, or disease, or from any natural physical development, including individual physical mannerisms including but not limited to height and weight. Physical characteristic shall not relate to those situations where a bodily condition or characteristic will present a danger to the health, welfare or safety of any individual.

(n) “Place of public accommodation” means inns, taverns, hotels, motels, restaurants, wholesale outlets, retail outlets, banks, savings and loan associations, other financial institutions, credit information bureaus, insurance companies, dispensaries, clinics, hospitals, theaters, recreational parks and facilities, trailer camps, garages, public halls, and all other establishments which offers goods, services, accommodations and entertainment to the public within the City. A place of public accommodation does not include any institution, club or other place of accommodation, which by its nature or distinctly private.

(o) “Sexual orientation” means actual or perceived heterosexuality, homosexuality or bisexuality.

(p) “Transaction in real estate” means the exhibiting, listing, advertising, negotiating, agreeing to transfer or transferring, whether by sale, lease, sublease, rent, assignment or other agreement, of any interest in real property or improvements thereon.

## **567.02 PROHIBITED ACTS OF DISCRIMINATION RELATING TO EMPLOYMENT.**

With regard to employment, it shall be unlawful for any employers or labor organizations to engage in any of the following acts, wholly or partially for a discriminatory reason:

(a) To fail to hire, refuse to hire or discharge an individual;

(b) To discriminate against any individual, with respect to compensation, terms, conditions, or privileges of employment, including promotion. Nothing in this section shall be construed to require any employer to provide benefits, such as insurance, to individuals not employed by the employer;

(c) To limit, segregate, or classify employees in any way which would deprive or tend to deprive any employee of employment opportunities, or which would otherwise tend to adversely affect his or her status as an employee;

(d) To fail or refuse to refer for employment any individual in such a manner that would deprive an individual of employment opportunities, that would limit an individual's employment opportunities or that would otherwise adversely affect an individual's status as a prospective employee or as an applicant for employment;

(e) To discriminate against an individual in admission to, or employment in, any program established to provide apprenticeship or other job training, including an on-the-job training program.

(f) To print or publish, or cause to be printed or published, any discriminatory notice or advertisement relating to employment. This subsection shall not be construed so as to expose the person who prints or publishes the notice or advertisement, such as a newspaper, to liability;

(g) To discriminate in referring an individual for employment whether the referral is by an employment agency, labor organization or any other person.

### **567.03 PROHIBITED ACTS OF DISCRIMINATION RELATING TO BUSINESS ESTABLISHMENTS OR PUBLIC ACCOMMODATIONS.**

It shall be unlawful for a business establishment or place of public accommodation to engage in any of the following acts wholly or partially for a discriminatory reason:

(a) To deny, directly or indirectly, any person the full enjoyment of the goods, services facilities, privileges, advantages and accommodations of any business establishment or place of public accommodation;

(b) To print, publish, circulate, post, or mail, directly or indirectly, a statement, advertisement, or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a business establishment or place of public accommodation will be unlawfully refused, withheld from or denied an individual, or which indicates that an individual's patronage of, or presence at, the business establishment or place of public accommodation is objectionable, unwelcome, unacceptable or undesirable.

### **567.04 PROHIBITED ACTS OF DISCRIMINATION RELATING TO EDUCATIONAL INSTITUTIONS.**

It shall be unlawful for an educational institution to engage in any of the following acts wholly or partially for a discriminatory reason:



(a) To deny, restrict, abridge or condition the use of, or access to, any educational facilities or educational services to any person otherwise qualified;

(b) Notwithstanding the provisions of subsection (a) it shall not be an unlawful discriminatory practice to limit attendance in classes or programs conducted by an educational institution based upon a reasonable educational objective, except where to do so would otherwise violate a duty, imposed upon the institution by federal or state law to provide reasonable accommodation;

(c) Notwithstanding the provisions of subsection (a), it shall not be an unlawful discriminatory practice for an educational institution operated by a religious or denominational institution, or established for a bona fide religious purpose, to admit students or program attendees on the basis of that student's or attendee's religious or denominational affiliation or preference.

#### **567.05 CITY SERVICES, FACILITIES, TRANSACTIONS AND CONTRACTS.**

The City shall be bound by the provisions of this chapter to the same extent as private individuals. All contractors proposing to, or currently doing business with the City, shall abide by this chapter.

#### **567.06 GENERAL EXCEPTIONS.**

(a) Any practice which has a discriminatory effect and which would otherwise be prohibited by this chapter shall not be deemed unlawful if it can be established that the practice is not intentionally devised to contravene the prohibitions of this chapter and there exists no less discriminatory means of satisfying a business purpose.

(b) Unless otherwise prohibited by law, nothing contained in this chapter shall be construed to prohibit promotional activities such as senior citizens discounts and other similar practices designed primarily to encourage participation by protected groups.

(c) It shall not be an unlawful discriminatory practice for an employer to observe the conditions of a bona fide seniority system or a bona fide employee benefit system such as a retirement, pension or insurance plan which is not a subterfuge or pretext to evade the purposes of this chapter.

(d) It shall not be an unlawful discriminatory practice for any person to carry out an affirmative action plan. An affirmative action plan is any plan devised to effectuate remedial or corrective action taken in response to past discriminatory practices, or as otherwise required by state or federal law.

(e) Nothing contained in this chapter shall be deemed to prohibit selection or rejection based solely upon a bona fide occupational qualification or a bona fide physical requirement. Nothing contained in this chapter shall be deemed to prohibit a religious or denominational institution from selecting or rejecting applicants and employees for non-secular positions on the basis of the applicant's or employee's conformance with the institution's religious or denominational principles. If a party asserts that an otherwise unlawful practice is justified as a permissible bona

fide occupational qualification, or a permissible bona fide physical requirement, that party shall have the burden of proving:

That the discrimination is in fact a necessary result of such a bona fide condition; and

That there exists no less discriminatory means of satisfying the bona fide requirement.

(f) If a party asserts that an otherwise unlawful practice is justified as a permissible bona fide religious or denominational preference per Section (e), that party shall have the burden of proving the discrimination is in fact a necessary result of such a bona fide condition; and that there exists no less discriminatory means of satisfying the bona fide condition.

**567.07 SEVERABILITY.**

If any section, subsection, sentence, clause, phrase or portion of this chapter, or the application thereof to any person, firm, corporation or circumstance, is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof. The City Council of the City of Galion hereby declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

**567.99 PENALTY.**

Whoever violates any provision of this chapter is guilty of a misdemeanor of the third degree.

SECTION 2. That this Ordinance is enacted pursuant to home rule powers of the City of Galion as set forth at Article XVIII, Section 3 of the Ohio Constitution.

SECTION 3. That this Ordinance shall be published in accordance with Ohio Revised Code Sections 731.21 and 731.22

SECTION 4. That this ordinance shall take effect 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>
MS. AULT	_____	_____
MR. BODKINS	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. IVY	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

5d

**ORDINANCE NO. 2021-71**

**ENTITLED AN ORDINANCE SECTION 515.02 OF THE CITY OF GALION CODIFIED ORDINANCES.**

WHEREAS, the City of Galion seeks to establish regulations against discrimination within its jurisdiction; and

WHEREAS, Section 515.02 (c) of the City of Galion Codified Ordinances currently reads as follows:

(c) "Discrimination", "discriminating" or "discriminate" means to render any difference in treatment to any person in the sale, lease, rental or financing of a dwelling or housing unit because of a person's race, color, creed, sex, marital status, religious belief, national origin, age, familial status or handicap.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Galion, Ohio:

SECTION 1. That Section 515.02 (c) be amended to read as follows:

**515.02 DEFINITIONS.**

(c) "Discrimination", "discriminating" or "discriminate" means to render any difference in treatment to any person in the sale, lease, rental or financing of a dwelling or housing unit because of a person's race, color, creed, sex, marital status, religious belief, national origin, age, familial status or handicap, sexual orientation, gender identity or expression, or physical characteristic.

SECTION 2. That this Ordinance is enacted pursuant to home rule powers of the City of Galion as set forth at Article XVIII, Section 3 of the Ohio Constitution.

SECTION 3. That this Ordinance shall be published in accordance with Ohio Revised Code Sections 731.21 and 731.22

SECTION 4. That this ordinance shall take effect from and after the earliest time allowed by law, after its passage.

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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>
MS. AULT	_____	_____
MR. BODKINS	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. IVY	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____

5e

**ORDINANCE NO. 2021-72**

**AN EMERGENCY RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT, AND DECLARING AN EMERGENCY.**

AN EMERGENCY ORDINANCE AUTHORIZING the Law Director to execute the Participation Agreement for the OneOhio Subdivision Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (“Settling Distributors”) pursuant to the OneOhio Memorandum of Understanding regarding the pursuit and use of potential opioid litigation settlement funds and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement available at <https://nationalopioidsettlement.com/>.

WHEREAS, the City of Galion, Ohio (herein “Municipality”) is a municipal entity formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and the City of Galion has adopted,



and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding (“MOU”) relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, the Council understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS a settlement proposal is being presented to the State of Ohio and Local Governments by distributors AmerisourceBergen, Cardinal, and McKesson (collectively the “Settling Distributors”) to resolve governmental entity claims in the State of Ohio using the structure of the OneOhio MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

WHEREAS, Council wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors (the “Proposed Settlement”):

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

Section 1. That the Director of Law is authorized to accept the Proposed Settlement on behalf of the City of Galion, pursuant to the terms of the OneOhio MOU.

Section 2. That it is found and determined that all formal actions of the Council relating to the adoption of this ordinance were adopted in an open meeting of this Council, and Ordinance No. 2021-72

that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. 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 The reason for the emergency is to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout Ohio.

\_\_\_\_\_  
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>
MS. AULT	_____	_____
MR. BODKINS	_____	_____
MS. ERLSTEN	_____	_____
DR. FELLNER	_____	_____
MR. IVY	_____	_____
MR. RICHART	_____	_____
MR. TRIPLETT	_____	_____