

RECORD OF RESOLUTIONS

0455

Dayton Legal Blank Co. Form No. 30045

Resolution No. 2005-1

Passed JAN 24 2005 YEAR

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE A CASH ADVANCE OF \$30,813.02 TO THE DOFASCO TIF FUND FROM THE GENERAL FUND.

WHEREAS, the City of Marion and Dofasco Marion, Inc. have entered into a tax increment financing (TIF) agreement, and

WHEREAS, the payments made pursuant to said TIF agreement are used to retire a loan made to the City of Marion by the Ohio Department of Transportation, and

WHEREAS, the City must make a loan payment which is due January 29, 2005, and

WHEREAS, the first TIF payment for 2005 will not be received until the first half property taxes are distributed by the Marion County Auditor, and

WHEREAS, there is an insufficient cash balance in the Dofasco TIF Fund to make the January 29, 2005 payment, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio,

Section 1. That the City Auditor is hereby authorized to make a cash advance of \$30,813.02 to the Dofasco TIF Fund from the General Fund.

Section 2. That upon receipt of the TIF payment from the Marion County Auditor, said advance shall be repaid to the General Fund.

Section 3. That this resolution take effect and be in force from and after the earliest period allowed by law.

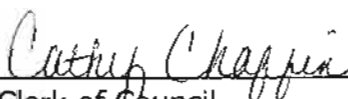


President of Council

Approved: JAN 25 2005


Mayor

Attest;


Clerk of Council

RECORD OF RESOLUTIONS

0457

Dayton Legal Blank Co., Form No. 30045

2005-2
Resolution No.

Passed JAN 23 2005

YEAR

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR AFFORDABLE HOUSING AND THE PROJECT BEING PROPOSED BY THE WODA GROUP LLC.

WHEREAS, the Woda Group LLC has proposed a program which will provide for affordable housing within the City of Marion, and

WHEREAS, the Council recognizes a need for affordable housing within the City,

BE IT RESOLVED by the City of Marion, Marion County, Ohio.


Section 1. The Council for the City of Marion hereby indicates its support for the Scioto Greene project proposed to be developed within the City by the Woda Group LLC. The Council supports the project as was summarized and which is expected to contain approximately 60 newly constructed homes on E. Fairground St. at Likens Chapel Road. A single-family home lease purchase tax credit development consisting of up to 60 tax credit housing units. Said project is not targeted for special needs.

Section 2. That this resolution shall take effect and be in force from and after the earliest date allowed by law.



President of Council

APPROVED: JAN 25 2005


Mayor

Attest:


Clerk of Council

RECORD OF RESOLUTIONS

0459

Dayton Legal Blank Co., Form No. 710245

2005-3, Page One
Resolution No.

Passed JAN 24 2005
YEAR

RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO APPLY TO THE MARION COUNTY COMMISSIONERS FOR MONIES DERIVED FROM THE AUTOMOBILE LICENSE TAX, AND DECLARING AN EMERGENCY.

WHEREAS, the Marion County Commissioners passed a resolution on September 10, 1969 in the matter of the policy on distribution of the \$5.00 permissive auto tax monies, to wit: That no later than the first Monday in February of each year shall be a deadline for this Board to receive from the various cities and villages, County Engineer approved requests for their portion of said monies, after which the Board will examine, view and certify amounts available to each qualified applicant, so they may be eligible to draw their portion after they present a signed contract for improvement to be done, and

WHEREAS, Council, on September 23, 1968, passed Resolution No. 68-39 which stated that Council desired to finance certain improvements from funds allocated by the County Commissioners from the annual license tax of \$5.00.

BE IT RESOLVED by the City of Marion, Marion County, Ohio.

Section 1. That the Mayor is hereby directed to make the proper application to the Marion County Commissioners for the City's portion of the \$5.00 permissive auto tax monies to apply against the following listed project:

Resurfacing:

	<u>STREET</u>	<u>FROM</u>	<u>TO</u>
1.	Community Drive	Delaware Avenue	300' west of Cresent Hts. Rd.
2.	Fairground Street	W. Corporation	E. Corporation
3.	Blaine Avenue	Church Street	Center Street
4.	Dauids Street	Center Street	Barks Road
5.	Executive Drive	Delaware Avenue	Harding Mem. Pkwy.
6.	Pearl Street	Prospect Street	Church Street
7.	Patten Street	Main Street	State Street
8.	Walnut Street	Prospect Street	Delaware Avenue
9.	Richland Road	Mt. Vernon Avenue	E. Corporation
10.	Joseph Street	Leader Street	Oak Street
11.	Bordeaux Avenue	Chateau Drive	Toulon Avenue
12.	Thompson Street	Silver Street	Evans Street.
13.	Silver Street	W. Corporation	Prospect Street
14.	Prospect Street	N. Corporation	Walnut Street
15.	Ballentine Avenue	Fairground Street	Quarry Street
16.	Vine Street	Center Street	Walnut Street
17.	Rodney Drive	Colonial Drive	Amherst Drive
18.	Farming Street	Jefferson Street	Greenwood Street
19.	National Drive	Clinton Street	St. Gallen Street
20.	Seffner Avenue	Mt. Vernon Avenue	Center Street
21.	Easy Street	Fairwood Avenue	Bermuda Drive
22.	Olney Avenue	Center Street	Bellefontaine Avenue
23.	Mark Street	Prospect Street	Jefferson Street
24.	Westlawn Drive	Vancouver Drive	Catalina Drive
25.	Delaware Avenue	Hill Street	S. Corporation
26.	George Street	Greenwood Street	Jefferson Street
27.	Kenton Avenue	W. Corporation	Center Street
28.	Mt. Vernon Avenue	Grand Avenue	E. Corporation
29.	State Street	Patten Street	Washington Street
30.	Windsor Street	Church Street	Carner Avenue

RECORD OF RESOLUTIONS

Dayton Legal Blank Co., Form No. 30045

2005-3, Page Two

Resolution No.

Passed

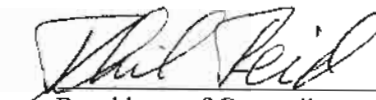
JAN 24

YEAR

- | | | |
|-----------------------|-------------------|-------------------|
| 31. Littleton Street | Richmond Avenue | Central Drive |
| 32. Bennett Street | Latourette Street | Davids Street |
| 33. Van Buren Street | Grant Street | Jefferson Street |
| 34. Burgundy Drive | Normandy Drive | Marseille Drive |
| 35. Shadyside Drive | Brightwood Drive | Forest Street |
| 36. Forest Lawn Blvd. | Church Street | Mt. Vernon Avenue |
| 37. Curve Street | Center Street | Bennett Street |

Section 2. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare, and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary to make application to the Marion County Commissioners by the first Monday in February, 2005 and as such shall take effect and be enforced immediately upon its' passage and approval by the Mayor, provided it receives the affirmative vote of two thirds of all members elected to Council; otherwise it shall become effective from and after the earliest period allowed by law.

Approved: JAN 25 2005


 President of Council

Mayor



Attest:


 Clerk of Council

RECORD OF RESOLUTIONS

0461

Dayton Legal Blank Co. Form No. 30045

Resolution No. 2005-4

Passed JAN

YEAR

RESOLUTION STATING THE COUNCIL'S SUPPORT OF THE MARION NORTHWEST INDUSTRIAL CONNECTOR

WHEREAS, the Council recognizes the importance to the community of the multi-governmental project commonly referred to as the Northwest Industrial Connector, and

WHEREAS, the Council fully supports the aforementioned project,

Now therefore, BE IT RESOLVED by the Council for the City of Marion, Ohio:

Section 1. The Council for the City of Marion does hereby endorse and support the multi-governmental project commonly referred to as the Northwest Industrial Connector. Including but not limited the utilization of the City's Tax Increment Financing (TIF) revenue from the Dual Rail Industrial Park upon favorable terms.

Section 2. That this resolution shall become effective on the earliest date allowed by law.



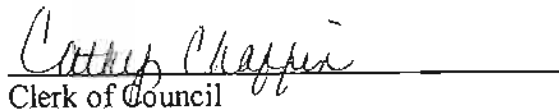
President of Council

APPROVED: JAN 8 5 2005



Mayor

Attest;



Clerk of Council

RECORD OF RESOLUTIONS

0469

Dayton Legal Blank Co. Form No. 30045

2005-5

Resolution No.

Passed

YEAR

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR MARION
SENIOR APARTMENTS AND THE PROJECT BEING PROPOSED BY
FRONTIER COMMUNITY SERVICES

WHEREAS, Frontier Community Services has proposed a program which will provide for Senior Apartments, located at 400 Barks Road West, within the City of Marion, and

WHEREAS, the Council recognizes a need for Senior housing within the City,

WHEREAS, Frontier Community Services has committed to provide 100% of the units to serve the seniors, persons aged 55 and up, as a special needs group; and that 100% of the units will be rented to seniors with incomes at or below 60% of the Area Median Income with 5% of the units being rented to and affordable to seniors with incomes at or below 35% of the AMI; now therefore,

BE IT RESOLVED by the City of Marion, Marion County, Ohio.

Section 1. The Council for the City of Marion hereby indicates its support for the Marion Senior Apartments project proposed to be developed within the City by Frontier Community Services. The Council supports the project as was summarized and which is expected to contain up to 50 units of affordable housing for seniors in the proposed Marion Senior Apartments, with seniors as a special needs set-aside.

Section 2. That this resolution shall take effect and be in force from and after the earliest date allowed by law.

President of Council

APPROVED:

Mayor

Attest:

Clerk of Council

By a majority vote of the members, this legislation was defeated on February 22, 2005.

Cathy Chappin

RECORD OF RESOLUTIONS

0463

Dayton Legal Blank Co. Form No. J0045

Resolution No. 2005-6

Passed

FEB 22 2005

YEAR

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR MARION
MAIN STREET HOUSING AND THE PROJECT BEING PROPOSED BY
KG&R DEVELOPMENT CORPORATION, As Amended

WHEREAS, KG&R Development Corporation has proposed a program which
will provide for ~~Senior~~ Apartments, located at 197-247 South Main Street, within the
City of Marion, and

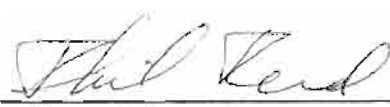
WHEREAS, the Council recognizes a need for ~~Senior~~ housing within the City,

WHEREAS, KG&R Development Corporation has committed to provide
affordable ~~senior~~ housing serving low to moderate income individuals and couples
consisting of 48 units with fourteen (14) one bedroom and thirty-four (34) two bedroom
residential units; now therefore,

BE IT RESOLVED by the City of Marion, Marion County, Ohio.

Section 1. The Council for the City of Marion hereby indicates its support for
the Marion Main Street Housing project proposed to be developed within the City by
KG&R Development Corporation. The Council supports the project as was
summarized and which is expected to contain up to 48 affordable residential units (14
one bedroom and 34 two bedroom) ~~for seniors~~ in the proposed Marion Main Street
Housing project.

Section 2. That this resolution shall take effect and be in force from and after
the earliest date allowed by law.



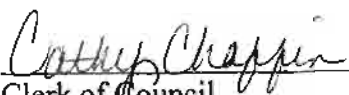
President of Council

APPROVED: MAR 01 2005



Mayor

Attest:



Clerk of Council

RECORD OF RESOLUTIONS

0465

Dayton Legal Blank Co. Form No. 30045

2005-7
Resolution No. _____FEB 14 2005
Passed _____ YEAR ____

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE A CASH ADVANCE OF UP TO \$23,750.00 TO THE AIRPORT IMPROVEMENT FUND FROM THE GENERAL FUND.

WHEREAS, Airport Improvement Project 16 Entitlement Grant application has been submitted to the FAA and not yet awarded, and

WHEREAS, the City must prepare bid specifications prior to the award of said Entitlement Grant, and

WHEREAS, the City contracts out the engineering services for said bid specifications, and

WHEREAS, the City desires to pay its bills on a timely basis, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the City Auditor is hereby authorized to make a cash advance of up to \$23,750.00 to the Airport Improvement Fund from the General Fund

Section 2. That upon receipt of the FAA funds, said cash advance of \$23,750.00 shall be repaid to the General Fund

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law


PRESIDENT OF COUNCIL

APPROVED: FEB 15 2005


MAYOR

ATTEST:


CLERK OF COUNCIL

RECORD OF RESOLUTIONS

0467

Dayton Legal Blank Co. Form No. 30045

Resolution No. 2005-8

Passed

FEB 14 2005

YEAR

RESOLUTION AUTHORIZING THE CITY AUDITOR TO
MAKE CASH ADVANCES OF UP TO \$199,075.00 TO THE QUARRY
PARK II FUND FROM THE GENERAL FUND.

WHEREAS, on Ordinance No. 2004-121 Marion City Council authorized the
Mayor purchase additional real property adjacent to the existing Quarry Park, and

WHEREAS, the City has received a Clean Ohio Conservation Fund Grant
which will reimburse the City for 75% of the purchase price of the land (not to
exceed \$146,250.00) and 75% of the closing costs (not to exceed \$1,875.00), and

WHEREAS, the 25% in matching funds will come from a pledge of
\$50,000.00 from Dofasco Marion, Inc. and lease income, and

WHEREAS, \$10,000.00 of the pledge from Dofasco Marion, Inc. has been
received and the balance of their pledge will be paid in \$10,000.00 (annual
installments, and

WHEREAS, funding must be provided at the closing, therefore


BE IT RESOLVED by the Council of the City of Marion, Marion County,
Ohio:

Section 1. That the City Auditor is hereby authorized to make cash advances
of up to \$199,075.00 to the Quarry Park II Fund from the General Fund

Section 2. That upon receipt of the Clean Ohio Conservation funds, said
funds shall be repaid to the General Fund and credited to the cash advance

Section 3. That upon the receipt of the lease income and the Dofasco Marion,
Inc. pledge, said funds shall be repaid to the General fund until the: full amount of
the cash advance is repaid. It is estimated that the final repayment will occur in the
first quarter of 2007.

Section 4. That this resolution shall take effect and be in force from and after
the earliest period allowed by law



PRESIDENT OF COUNCIL

APPROVED: FEB 15 2005


MAYOR

ATTEST:


CLERK OF COUNCIL

RECORD OF RESOLUTIONS

0471

Dayton Legal Blank Co. Form No. 30045

Resolution No. 2005-9

Passed FEB 14 2005
YEAR

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE A CASH ADVANCE OF \$18,000.00 TO THE SCHOOL RESOURCE OFFICER FUND FROM THE GENERAL FUND.

WHEREAS, the City of Marion has been awarded a School Resource Officer Grant through the Ohio Office of Criminal Justice Services, and

WHEREAS, said grant is a reimbursing grant, and

WHEREAS, the City desires to pay its bills on a timely basis, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the City Auditor is hereby authorized to make a cash advance of \$18,000.00 to the School Resource Officer Fund from the General Fund

Section 2. That upon receipt of the final grant funds in 2006, said cash advance of \$18,000.00 shall be repaid to the General Fund

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law


PRESIDENT OF COUNCIL

APPROVED: FEB 15 2005


MAYOR

ATTEST:


CLERK OF COUNCIL

RECORD OF RESOLUTIONS

0473

Dayton Legal Blank Co. Form No. 35045

2005-10

Resolution No.

Passed

YEAR

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR THE PUBLIC SAFETY LEVY

WHEREAS, the Council recognizes the important work local Law Enforcement perform and the increased demands made upon the men and women of the Marion County Sheriffs Office and the Marion City Police Department, and

WHEREAS, the local law enforcement community has come forward with a proactive plan to address the real and present need to increase the level of staffing at the Marion County Sheriff's Office and the Marion City Police Department. This plan providing for placement of a property tax measure before the people of our community so that they may choose whether or not there is desire to increase the service levels within each of the aforementioned Departments,

Now therefore, BE IT RESOLVED by the Council for the City of Marion, Ohio:

Section 1. The Council for the City of Marion does hereby support the Public Safety Levy and urges the Commissioners to place the issue before the voters of Marion County. Further, the Council recognizes the need to provide for specific terms and conditions in order to carry-out the full intent of the levy, if successful. Therefore, the Council hereby authorizes the Mayor and the President of Council to execute the attached agreement in order to provide the necessary contract terms between the co-operative governments.

Section 2. That this resolution shall become effective on the earliest date allowed by law.

President

APPROVED:

Mayor

Attest;

Clerk of Council

On the 28th day of February, 2005, the council unanimously referred the matter back to committee.

Cathy Chappin
Clerk of Council

AGREEMENT

BETWEEN THE COUNTY OF MARION AND THE CITY OF MARION PROVIDING FOR THE PROVISION OF LAW ENFORCEMENT SERVICES AND THE DISBURSEMENT OF PUBLIC SAFETY LEVY PROCEEDS

- WHEREAS, the County of Marion, Ohio (hereinafter referred to as "County") and the City of Marion, Ohio (hereinafter referred to as "City"), each being political subdivisions of the State of Ohio with responsibility to provide for the common good and general welfare of the citizens of the Community; and
- WHEREAS, both the County and City have realized declining revenues and each has implemented significant cuts in funding for all departments for a number of successive years, arguably the most significantly impacted service provider has been the safety forces of both entities. While it is recognized that every public service department experiencing reductions in revenues has an effect upon the citizens of the Community, few have a greater potential impact upon the public safety than that of Law Enforcement; and
- WHEREAS, the County and City elected representatives recognize the immediate need to provide funding to employ additional Law Enforcement officers to provide for the public safety, do each hereby declare their agreement and proclaim their joint support for a Marion County Public Safety Levy;

THEREFORE,

1. The County Commissioners and the City Council shall each consider and act upon a Resolution Expressing unconditional Support for the Marion County Public Safety Levy, being a 1.5 mill permanent real estate property tax, to be on the ballot May 3, 2005.
2. Upon the successful passage of the aforementioned ballot issue, the County and City shall abide by the following terms and conditions:
 - A. As provided by the Ohio Revised Code, the County through its respective elected officials shall complete all acts necessary to assess and collect the tax and its proceeds. All proceeds generated shall be deposited in the Marion County Public Safety Levy Fund, maintained by the Marion County Auditor and distributed in accordance with this Agreement.
 - B. Pursuant to R.C. 307.15 the City and County hereby enter into an Agreement for Law Enforcement services whereby the City of Marion, through the Marion Police Department, will provide law enforcement services to preserve the public peace protect the public safety within the City of Marion.
 - C. In consideration of this Agreement, the County will pay to the City, on a semi-annual basis, as real estate taxes are collected, an amount equal

to the taxes collected on the Marion County Public Safety Levy which were assessed against real estate located within Marion City. For the 2004 tax year the total assessed value for the entire County is \$1,035,203,324. The total assessed value of the real estate located within the City of Marion is \$406,036,066, which is 39.22% of the total assessed value

- D. The Levy Funds distributed to the City pursuant to this Agreement shall be appropriated to the budget for the Marion City Police Department to provide funds to hire additional officers.
 - E. The remaining Levy Funds shall be appropriated to the budget for the Marion County Sheriff's Office to provide funds to hire additional law enforcement personnel.
 - F. Since the purpose of this Levy is to provide for the public safety by providing additional funds for the Marion City Police Department and the Marion County Sheriff's Office so that additional law enforcement officers may be hired to promote the public safety, the City and County each agree that neither entity will reduce the current appropriations for the Marion City Police Department or the Marion County Sheriff's Office. Specifically, the City agrees that for the life of this Levy, that in addition to monies received from the Marion County Public Safety Levy Fund, that it will continue to appropriate not less than 34.5% of the City's general fund for the use of the Marion City Police Department, exclusive of the costs of operating any jail facility. Similarly, County agrees that for the life of this Levy, it will continue to appropriate not less than 15.5% of the County's general fund for use by the Marion County Sheriff's Office, exclusive of the costs of operating any jail facility.
 - G. The percentages identified in paragraph F are based on the percentage of the City and County general fund money currently appropriated to the Marion City Police Department and the Marion County Sheriff's Office. During the life of this agreement, the percentage of the general fund shall be determined without inclusion of the Levy proceeds, funding sources which are not currently part of the City or County general funds, or any tax rate increases adopted after the execution of this agreement. The purpose is to ensure that the proceeds generated by the Levy amount to an appropriation for the Marion Police Department and the Marion County Sheriff's Office, over and above current funding levels.
3. In the event that the Marion County Public Safety Levy is defeated at the May 3, 2005 election, this Agreement shall be null and void upon the certification of said election results

Having been approved at public meetings, this Agreement is executed by the authorized representatives of the City and County and is effective this ____ day of February, 2005.

CITY OF MARION

COUNTY OF MARION

Jack Kellogg, Mayor

Dave Columber, Commissioner

Phil Reid, President of Council

Andy Appelfeller, Commissioner

Ken Frayer, Commissioner

Approved as to form:

Approved as to form:

Mark Russell, Law Director

Jim Slagle, Prosecuting Attorney

s013105s01

Revised 2/5/05

F. (add second paragraph) However, if in any year the general fund declines by more than 3.5% from the previous year, the entity in which this decline occurred may at the discretion of the governing body reduce the floor up to 1.75%. If in any year the general fund grows by more than 5% from the previous year, the entity in which this growth occurred may at the discretion of the governing body increase the floor by 2.5%.

OFFICIAL QUESTIONS AND ISSUES BALLOT
PRIMARY ELECTION - MAY 3, 2005
MARION COUNTY

PROPOSED TAX LEVY (NEW)

COUNTY OF MARION, OHIO

A Majority Affirmative Vote is Necessary for Passage

A new tax for the benefit of the County of Marion, Ohio, to hire and pay the salaries of permanent police officers and deputy sheriffs in order to provide for the public safety at a rate not exceeding one and one-half (1.5) mills for each one dollar of valuation, which amounts to fifteen cents (\$0.15) for each one hundred dollars of valuation, for a continuing period of time, commencing in 2005, first due in calendar year 2006.

FOR THE TAX LEVY

AGAINST THE TAX LEVY

1012705y02a

RECORD OF RESOLUTIONS

0475

Dayton Legal Blank Co. Form No. 30043

2005-11

Resolution No.

Passed

FEB 28 2005

YEAR

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR
THE PROPOSED GRANT APPLICATION PROCESS IN ORDER
TO ACQUIRE REAL PROPERTY AT THE FORMER OAKLAND
SCHOOL AND OLNEY SCHOOL SITES AND DECLARING AN
EMERGENCY , As Amended

WHEREAS, the Council recognizes the importance to the community of preserving green space, especially where the space is utilized by the youths of the community as play sites, and

WHEREAS, there exists the opportunity to utilize State grant funds which have been establish with the specific purpose intended herein,

Now therefore, BE IT RESOLVED by the Council for the City of Marion, Ohio:

Section 1. The Council for the City of Marion does hereby endorse, support and authorize the Mayor to complete all tasks necessary to make application for grant funding in the furtherance of acquiring certain real property located at the former Oakland school site and the former Olney school site.

~~Section 2. If necessary in order to complete the grant application, the Auditor is authorized to appropriate the sum of _____ in order to complete necessary grant requirements.~~

Section 3. This Resolution is hereby declared to be an emergency measure in order to meet grant deadlines and for this reason, the resolution shall take effect and be in force immediately upon its passage and approval by the Mayor, provided that it receives the affirmative vote of two thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.

APPROVED MAR 01 2005

Jack L. Kelley
Mayor

Phil Ward
President

Attest: Cathy Chappin
Clerk of Council

RECORD OF RESOLUTIONS

0477

Dayton Legal Blank Co. Form No. 30045

2005-12

Resolution No.

Passed

FEB 28 2005

YEAR

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR HERITAGE LANDING APARTMENTS AND THE PROJECT BEING PROPOSED BY FRONTIER COMMUNITY SERVICES

WHEREAS, Frontier Community Services has proposed a program which will provide for affordable family apartment units, located on Independence Avenue near the intersection of Barks Road and Independence Avenue, within the City of Marion, and

WHEREAS, the Council recognizes a need for additional high quality housing within the City,

WHEREAS, Frontier Community Services has committed to provide up 84 units to serve the individuals and families; and that 100% of the units will be rented to individuals and families; now therefore,

BE IT RESOLVED by the City of Marion, Marion County, Ohio.

Section 1. The Council for the City of Marion hereby indicates its support for the Heritage Landing Apartments project proposed to be developed within the City by Frontier Community Services. The Council supports the project as was summarized and which is expected to contain up to 84 units of affordable housing for individuals and families in the proposed Heritage Landing Apartments.

Section 2. That this resolution shall take effect and be in force from and after the earliest date allowed by law.

Phil Reed

President of Council

APPROVED: MAR 01 2005

Jack E. Kilbuck
Mayor

Attest:

Cathy Chappin
Clerk of Council

RECORD OF RESOLUTIONS

0481

Dayton Legal Blank Co., Form No. 30043

2005-14

Resolution No.

Passed

MAR 28 2005

YEAR

RESOLUTION ESTABLISHING THE FEMA FUND

WHEREAS, the City of Marion has applied for Federal Emergency Management Agency (FEMA) funding, and

WHEREAS, it is necessary to establish a fund to document the various activities utilizing the FEMA funds, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio,

SECTION 1. That a special revenue fund known as the FEMA Fund is hereby established; its fund number shall be 217.

SECTION 2. That this fund shall be administered by the Mayor.

SECTION 2. That this resolution shall take effect and be in force from and after the earliest period allowed by law.



President of Council

APPROVED: MAR 04 2005


Mayor Kellogg
Clerk of Council

RECORD OF RESOLUTIONS

0479

Dayton Legal Blank Co. Form No. 30045

2005-13

Resolution No.

Passed

MAR 28 2005

YEAR

RESOLUTION AUTHORIZING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM

WHEREAS, section 5513.01(B) provides the opportunity for municipal corporations and other Governmental entities to participate in purchase contracts which the Ohio Department of Transportation has procured for the purchase of machinery, materials, supplies or other articles;

BE IT RESOLVED by the City of Marion, Marion County, Ohio,

Section 1. The Council hereby grants authority in the name of the City of Marion, Ohio to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to O.R.C. 5513.01(B).

Section 2. The Council agrees in the name of the City of Marion, Ohio to be bound by all terms and conditions contained within the DOT program rules as the Director of Transportation prescribes.

Section 3. The Council hereby grants all necessary authority to directly pay the vendor, under each contract of the Ohio Department of Transportation in which the Council participates, for each item it receives pursuant to the contract.

Section 4. The City of Marion, Ohio agrees to hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract pursuant to O.R.C. 5513.01(B).

Section 5. That this resolution take affect on the earliest date allowed by law.



President of Council

APPROVED: APR 14 2005


Mayor

Attest;


Clerk of Council

Dayton Legal Blank Co. Form No. 30045

Resolution No. 2005-15

Passed 3-23-06 YEAR

RESOLUTION SUPPORTING THE COMMUNITY DEVELOPMENT PROGRAM AND URGING CONGRESS TO RESTORE ITS FUNDING.

WHEREAS, the CDBG program has as its primary objective" ...the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income;" and

WHEREAS, throughout its 30-year history, the CDBG program has been a partnership among the federal, state and local governments, business, and the nonprofit sector which carry out activities that improve the lives and neighborhoods of low and moderate income families; and

WHEREAS, according to the Department of Housing and Urban Development (HUD), in FY 2004 CDBG provided funds for thousands of activities, assisting over 23 million persons and households through such activities as expanding homeownership activities, eliminating slums and blighting influences, improving infrastructure such as roads, water and sewer systems, libraries, community centers, adult day care and after school care for children, homeless housing facilities, employment training, transportation services, crime awareness, and business and job creation; and

WHEREAS, the City of Marion uses CDBG funds for housing, economic development, and infrastructure in low-income neighborhoods; and

WHEREAS, the Administration's proposed FY 2006 budget proposes to cut the program and move it into a new bureaucratic department, potentially wasting time and money on new sets of transition regulations and dramatically cut back useful funding for neighborhood revitalization;

NOW, THEREFORE, BE IT RESOLVED, by the City of Marion, Marion County, Ohio:

Section 1. That the City of Marion hereby calls on the Congress to preserve the Community Development Block Grant (CDBG) Program within the Department of Housing and Urban Development and provide a FY 2006 funding of at least \$4.7 billion overall, with no less than \$4.35 billion in formula funding.

Section 2. That this resolution shall take effect and be in force from and after the earliest date allowed by law.



President of Council

APPROVED: APR 2 2006



Mayor

Attest:



Clerk of Council

Dayton Legal Blank Co. Form No. 30043

2005-16

Resolution No. _____

Passed _____

APR 25 2005

YEAR

RESOLUTION ESTABLISHING THE MARION MUNICIPAL COURT ASSISTANCE FUND, AS AMENDED.

WHEREAS, the Marion Municipal Court has issued an Amended Order dated April 6, 2005, under the authority granted by O.R.C. 1901.26 (B)(1), mandating the re-direction of court costs currently being collected in all cases to be deposited to a specific line item to be known as the Marion Municipal Court Assistance Fund to be utilized for special projects,

BE IT RESOLVED by the Council for the City of Marion, Marion County, Ohio:

Section 1. There shall be established, pursuant to the Order of the Marion Municipal Court, a special revenue fund known as the Marion Municipal Court Assistance Fund (MMC Assistance Fund) being known as fund number 209.

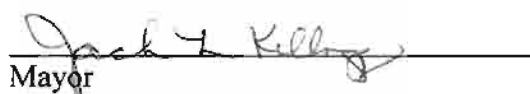
Section 2. ~~The fund shall be administered by the Marion Municipal Court.~~

Section 3. This Resolution shall take effect and be in force from and after the earliest period allowed by law.



President

APPROVED: APR 26 2005


Mayor

Attest;


Clerk of Council

RECORD OF RESOLUTIONS

0487

Dayton Legal Blank Co., Form No. 30043

2005-17

Resolution No.

Passed

MAY 23 2005

YEAR

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$760.00 TO THE AIRPORT IMPROVEMENT FUND FROM THE GENERAL FUND.

WHEREAS, the City's Airport Improvement Project 16 Entitlement Grant application has been submitted to the FAA, and

WHEREAS, project bids must be received and approved prior to the award of the Entitlement Grant, and

WHEREAS, Resolution No. 2005-7 did not provide sufficient cash advances for the legal ad, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the City Auditor is hereby authorized to make cash advances of up to \$760.00 to the Airport Improvement Fund from the General Fund.


Section 2. That upon receipt of the FAA funds, said cash advance shall be repaid to the General Fund. It is estimated that the FAA funds will be received in December, 2005.

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

APPROVED:

MAY 23 2005


MAYOR

ATTEST:


CLERK

RECORD OF RESOLUTIONS

0489

Dayton Legal Blank Co. Form No. 30045

2005-18

Resolution No.

Passed MAY 23 2005 YEAR

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$30,000.00 TO THE WIC FUND FROM THE HEALTH FUND.

WHEREAS, the WIC Fund is funded by a federal grant administered by the Ohio Department of Health, and

WHEREAS, due to computer problems at ODH the City has not received its funds on a timely basis, and

WHEREAS, it is necessary to continue the operations of the WIC Clinic, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the City Auditor is hereby authorized to make cash advances of up to \$30,000.00 to the WIC Fund from the Health Fund.

Section 2. That upon receipt of the final FY'05 WIC funds, said advance shall be repaid to the Health Fund. It is estimated that the final funds will be received in December, 2005.

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.



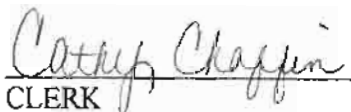
PRESIDENT OF COUNCIL

APPROVED: MAY 23 2005



MAYOR

ATTEST:



CLERK

RECORD OF RESOLUTIONS

Dayton Legal/Blanks, Inc. Form No. 200418

Resolution No. 2005-19

Passed JUN 13 2005, 20

**RESOLUTION CONFIRMING THE APPOINTMENT, BY THE MAYOR, OF
CAROL L. COLUMBER, RN, TO SERVE AS A MEMBER OF THE
MARION CITY BOARD OF HEALTH AND DECLARING AN
EMERGENCY.**

WHEREAS, Mayor Jack L. Kellogg has asked Council for its approval of the appointment of Carol L. Columber, RN, to the Marion City Board of Health for an unexpired term to end December 31, 2006.

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio,

Section 1. That the appointment by Mayor Jack L. Kellogg of Carol L. Columber, RN, to serve as a member of the Marion City Board of Health for an unexpired term which ends December 31, 2006, be and is hereby confirmed and approved.

Section 2. That the resolution is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; and as such shall take effect and be in force immediately upon its passage and approval by the Mayor provided it receives the affirmative vote of two-thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.



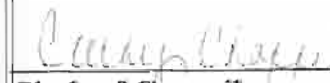
President of Council

Approved: JUN 14 2005



Mayor Jack L. Kellogg

Attest:



Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2005-20

Passed JUN 13 2005, 20

RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF ROBERT CASE AS A MEMBER OF THE AIRPORT COMMISSION, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 159.02 of the Codified Ordinance of Marion, the Mayor of the City of Marion is authorized to appoint members of the Airport Commission, subject to the approval and consent of Council of said City, and

WHEREAS, the said Jack L. Kellogg has asked Council for its approval and consent to the re-appointment of Robert Case to said Airport Commission for a term of three (3) years, said term to begin June 1, 2005, and to end May 31, 2008.

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the re-appointment by Mayor Jack L. Kellogg of Robert Case to the Airport Commission to wit:

<u>MEMBER</u>	<u>TYPE OF MEMBER</u>	<u>TERM</u>
Robert Case	Agricultural & farming residing within 2 miles of the airport.	three (3) years, June 1, 2005 to May 31, 2008.

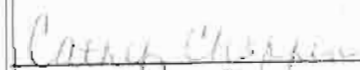
be and the same is hereby approved and confirmed and the consent of Council to such appointment be and the same is hereby granted.

Section 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate protection of welfare and safety related concerns for the citizens of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operations of said City, and as such, shall take effect and be in force upon its passage and approval by the Mayor, provided that it receives the affirmation vote of two thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.



President of Council

APPROVED: JUN 14 2005


Mayor Jack L. Kellogg
Clerk of Council

RECORD OF RESOLUTIONS

0265

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2005-21

Passed JUN 13 2005, 20

RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF LARRY ISHIDA AS A MEMBER OF THE AIRPORT COMMISSION, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 159.02 of the Codified Ordinance of Marion, the Mayor of the City of Marion is authorized to appoint members of the Airport Commission, subject to the approval and consent of Council of said City, and

WHEREAS, the said Jack L. Kellogg has asked Council for its approval and consent to the re-appointment of Larry Ishida to said Airport Commission for a term of three (3) years, said term to begin June 1, 2005, and to end May 31, 2008.

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the re-appointment by Mayor Jack L. Kellogg of Larry Ishida to the Airport Commission to wit:

<u>MEMBER</u>	<u>TYPE OF MEMBER</u>	<u>TERM</u>
Larry Ishida	employed or associated with a company utilizing airport with non-based equipment.	three (3) years, June 1, 2005 to May 31, 2008.

be and the same is hereby approved and confirmed and the consent of Council to such appointment be and the same is hereby granted.

Section 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate protection of welfare and safety related concerns for the citizens of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operations of said City, and as such, shall take effect and be in force upon its passage and approval by the Mayor, provided that it receives the affirmation vote of two thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.

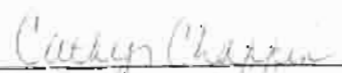


President of Council

APPROVED: JUN 14 2005



Mayor Jack L. Kellogg



Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank Co. Form No. 30045

2005-22

Resolution No.

Passed

JUN 13 2005

YEAR

RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF ALFRED GOERLICH AS A MEMBER OF THE AIRPORT COMMISSION, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 159.02 of the Codified Ordinance of Marion, the Mayor of the City of Marion is authorized to appoint members of the Airport Commission, subject to the approval and consent of Council of said City, and

WHEREAS, the said Jack L. Kellogg has asked Council for its approval and consent to the re-appointment of Alfred Goerlich to said Airport Commission for a term of three (3) years, said term to begin June 1, 2005, and to end May 31, 2008.

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the re-appointment by Mayor Jack L. Kellogg of Alfred Goerlich to the Airport Commission to wit:

<u>MEMBER</u>	<u>TYPE OF MEMBER</u>	<u>TERM</u>
Alfred Goerlich	person residing within 2 miles of the airport.	three (3) years, June 1, 2005 to May 31, 2008.

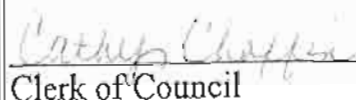
be and the same is hereby approved and confirmed and the consent of Council to such appointment be and the same is hereby granted.

Section 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate protection of welfare and safety related concerns for the citizens of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operations of said City, and as such, shall take effect and be in force upon its passage and approval by the Mayor, provided that it receives the affirmation vote of two thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.



President of Council

APPROVED: JUN 14 2005


Mayor Jack L. Kellogg
Clerk of Council

RECORD OF RESOLUTIONS

0

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2005-23

Passed

JUL 11 2005

20

RESOLUTION OF THE COUNCIL FOR THE CITY OF MARION,
OHIO CALLING UPON THE CONGRESS OF THE UNITED STATES
TO REJECT PLANS WHICH WOULD PRIVATIZE SOCIAL SECURITY,
AND, FURTHER, CALLING UPON CONGRESS TO COMMIT TO
REPAY THE SOCIAL SECURITY TRUST FUND THE MONIES IT HAS
REMOVED AND SPENT FOR OTHER PURPOSES, *AS AMENDED*

Whereas, Social Security's income protections – guarantee, lifelong benefits, cost-of-living adjustments to guard against inflation, increased benefits for families, greater income replacement for low-income workers, and disability and survivor benefits – are the back bone of the retirement security and family protection in our United States, and

Whereas, Social Security provides crucial, often indispensable income protection for the 47 million individuals – one of every six Americans – receiving benefits. It is recognized there exist long-term funding needs which must be addressed, however some policymakers propose to address these needs by cutting guaranteed benefits and privatizing Social Security, that is, diverting a third or more of worker's payroll tax contributions out of the Social Security Trust Fund and into private investment accounts. This resulting in a larger problem as to Social Security's funding needs by draining resources from the Trust fund into private accounts, increasing the federal deficit by two trillion (\$ 2,000,000,000,000 00) over the first decade alone and more in the future and putting us deeper debt to foreign creditors, and

Whereas, some elected officials have suggested the federal government will not pay back the money it has taken from the Trust Fund over the past 20 years thereby denying working families the money they paid into Social Security and leading to further benefit cuts. Privatizing Social Security will cut guaranteed benefits by 30 percent for young workers, even for those who do not participate in private accounts, costing them \$ 152,00.00 over their retirements. Further, cutting guaranteed benefits will hurt the elderly because Social Security is the only secure source of retirement income for most Americans, providing at least half the income of nearly two-thirds of older American households and lifting more than 11 million seniors out of poverty, and

Whereas, cutting guaranteed benefits will disadvantage women and people of color, as they are more likely than white men to rely on Social Security for most of their retirement income, they earn less than white men and are thus less able to save for retirement, and they are less likely than white men to receive job-based pensions in retirement. Further, diverting resources to private accounts will threaten guaranteed survivor and disability benefits, thus harming working families – particularly African-Americans-, as roughly one in five workers dies before retiring and nearly three in 10 become too disabled to work before reaching retirement age, and

Whereas, privatizing Social Security will burden state and local governments, as cuts in guaranteed benefits will increase demands for public assistance at the very moment growth in the federal deficit due to privatization induces the federal government to shift greater responsibilities onto state and localities. The Congress is urged not to rush through drastic and damaging

changes in Social Security that undermine its family income protections but instead, should take the time needed to develop careful and thoughtful reforms that address Social Security's funding needs without slashing benefits or exploding the deficit.

Now therefore, BE IT RESOLVED by the Council for the City of Marion, Ohio.


Section 1. The Council urges Congress to commit to paying back to the Social Security Trust Fund all of the money it borrowed and spent on other things. The Council urges the Congress to carefully study a variety of potential changes that will address Social Security's problems while ensuring the program will continue to meet its purpose of providing income protection and economic security for America's families. Finally, the Council believes any changes adopted by Congress must strengthen Social Security's family income protections without slashing guaranteed benefits or exploding the deficit further and Congress should reject proposals to divert money out of Social Security to fund private accounts.

Section 2. *The Council urges the membership of both the House and Senate to become participants in the Social Security Program. Joining the men and women of America as equals and not as elitists, ending the practice of Congress exempting itself from the laws, regulations and programs it routinely imposes on the people, but not its own "house".*

Section 3 This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Approved:

Mayor


President

Attest: 
Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2005-24

Passed JUN 27 2005, 20

AMENDED AND RESTATED RESOLUTION OF THE [BOARD/COUNCIL]¹
OF THE CITY OF MARION OF
MARION COUNTY, OHIO

The [Board/Council] of the City of Marion, Marion County, Ohio met at a duly called and authorized meeting of the [Board/Council] on the date set forth below, such meeting being duly called pursuant to a notice stating the time, place and purpose of the meeting received by all [Board/Council] members, and the following resolutions were made, seconded, and adopted by those present at the meeting.

WHEREAS, the eligible employees of the Police [Department(s)] participate in the Ohio Police and Fire Pension Fund ("OP&F");

WHEREAS, the Marion City [Board/Council] has previously adopted a pick-up [all/ 6 %] of the ten percent (10%) mandatory contributions required under by Section 742.31 of the Ohio Revised Code for participating employees of the Gold Unit of Police [Department(s)] who are members of the OP&F;

WHEREAS, OP&F has adopted new procedures for reporting picked up contributions in order to properly prepare 1099-R forms for its members;

WHEREAS, the Marion City [Board/Council] wishes reaffirm and amend and restate its prior resolution in order to continue the pick-up under the new procedures;

NOW, THEREFORE, BE IT RESOLVED, that effective as of [date] July 1, 2005, the Marion City [Board/Council] has determined to continue to pick-up [all/ 8 1/2 %] of the ten percent (10%) mandatory contributions by the employees who are members of the Ohio Police and Fire Pension Fund [~~through a payroll reduction~~¹ / by paying the contributions on behalf of the employee].

BE IT FURTHER RESOLVED, that said picked up contributions paid [~~through a payroll reduction~~ / by the employer³], even though designated as employee contributions for state law purposes, are being paid by the Marion City [Board/Council] in lieu of said contributions by the employee;

BE IT FURTHER RESOLVED, that said picked up contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal or state income tax withholding taxes, until distributed from the Ohio Police and Fire Pension Fund;

BE IT FURTHER RESOLVED, that said picked up contributions will be included in the gross income of the employees, for employment tax purposes, as the contributions are made to the Ohio Police and Fire Pension Fund; and

BE IT FURTHER RESOLVED, that said employees shall not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the City to the Ohio Police and Fire Pension Fund.

Dated this 27th day of June, 2005.

APPROVED: JUN 28 2005

Phil Reid
President of Council

Jack S. Kellogg
Mayor

Attest:

Cathy Chappin
Clerk of Council

¹ Or the name of the appropriate legislative body with the authority to enact the resolution.

² NOTE: OPTIONAL LANGUAGE "THROUGH A PAYROLL REDUCTION" GIVES PICK-UP TREATMENT TO SALARY REDUCTION CONTRIBUTIONS. EMPLOYERS COULD ALSO ELECT TO PICK UP AND PAY THE CONTRIBUTIONS.

³ NOTE: OPTIONAL LANGUAGE "THROUGH A PAYROLL REDUCTION" GIVES PICK-UP TREATMENT TO SALARY REDUCTION CONTRIBUTIONS. EMPLOYERS COULD ALSO ELECT TO PICK UP AND PAY THE CONTRIBUTIONS.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30046

Resolution No. 2005-25

Passed JUL 11 2005, 20

RESOLUTION APPROVING AND ADOPTING THE BUDGET OF THE CITY OF MARION, OHIO FOR THE YEAR 2006, AND DECLARING AN EMERGENCY.

WHEREAS, the annual tax budget of the City of Marion for the year 2006 has been heretofore prepared, and

WHEREAS, public notice has been given by publication of a notice of public hearing thereon at least ten (10) days prior to the date of such public hearing, and

WHEREAS, such public hearing has been properly held on said budget and no objections or exceptions thereto have been made or presented to the officials of the City,

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

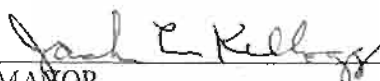
Section 1. That the tax budget of the City of Marion, Ohio for the year 2006 be and the same is hereby approved and adopted.

Section 2. That the Clerk of Council of the City of Marion be and she is hereby authorized, employed and directed to submit a duly certified copy thereof to the County Auditor of Marion County, Ohio as provided by law

Section 3. This resolution is hereby declared to an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for further reason that said budget must be filed with the County Auditor by July 20, 2005; and as such emergency, shall take effect and be in force immediately upon passage and approval by the Mayor provided it received the affirmative vote of two-thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

APPROVED: JUL 12 2005


MAYOR

ATTEST:


CLERK OF COUNCIL

RECORD OF RESOLUTIONS

3040

Dayton Legal Blank, Inc., Form No. 30045

2005-26, Page One

Resolution No.

Passed

JUL 11 2005

20

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR FY 2006 GRANTS, THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION, AS AUTHORIZED UNDER FEDERAL TRANSIT LAWS, AS CODIFIED, 49 USC SECTION 5311, FINANCIAL ASSISTANCE FOR OTHER THAN URBANIZED AREAS AND FUNDS AVAILABLE FROM THE OHIO PUBLIC TRANSPORTATION GRANT PROGRAM AND OHIO ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM AND EXECUTING A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION UPON GRANT APPLICATION APPROVAL, AND DECLARING AN EMERGENCY.

WHEREAS, the Director of the Ohio Department of Transportation is authorized to make grants for a public transportation program;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under 49 USC Section 5311 the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that disadvantaged business enterprise be used to the fullest extent possible in connection with this/these projects, and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio,

SECTION 1. That the Mayor is authorized to execute and file an application on behalf of the City of Marion with the Ohio Department of Transportation to aid in the financing of capital and operating assistance projects pursuant to 49 USC Section 5311, the Ohio Public Transportation Grant Program, and the Ohio Elderly and Disabled Transit Fare Assistance Program.

SECTION 2. That the Mayor is authorized to execute and file with such applications and assurance or any other documents required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

SECTION 3. That the Mayor is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with the application for the program of projects submitted to FTA.

SECTION 4. That the Mayor is authorized to set forth and execute affirmative disadvantaged business policies in connection to any procurements made as part of the project.

SECTION 5. That the Mayor is authorized to execute grant agreements on behalf of the City of Marion with the Ohio Department of Transportation for aid in the financing of operating and capital assistance projects.

2005-26, Page Two

Resolution No.

Passed

JUL 11 2005

, 20

SECTION 6. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof, and as such shall take effect and be in force immediately upon its passage and approval by the Mayor, provided it receives the affirmative vote of two-thirds of all members elected to Council; otherwise it shall become effective from and after the earliest period allowed by law.

The undersigned duly qualified and acting Mayor of the City of Marion certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the City Council held on JUL 11 2005.



President of Council

APPROVED: JUL 12 2005



Mayor Kellogg



Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2005-27

Passed JUL 11 2005 20

RESOLUTION RE-NAMING BLAKE STREET PARK BRANDY WINFIELD MEMORIAL PARK

WHEREAS, the Council recognizes the re-vitalization of Blake Street Park through the efforts of many over the past several years, and

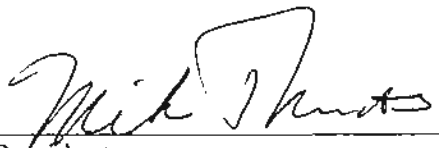
WHEREAS, Councilperson Amy Pinnick has undertaken the effort to re-dedicate the Park and re-name the Park to honor one of Marion's fallen heroes, Brandy Winfield, who was killed in the line of duty in October of 2004,

WHEREAS, the Marion Parks Board by its' action of Jun 14, 2005 joined in the request to re-name the Park in honor of Deputy Winfield,

BE IT RESOLVED by the Council for the City of Marion, Marion County, Ohio:

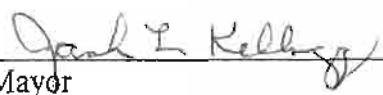
Section. 1. The Blake Street Park shall be re-named Brandy Winfield Memorial Park. This rededication of said Park to honor Marion County Sheriff's Deputy Brandy L. Winfield, one of Marion's own who was killed in the line of duty October, 2004.

Section 2. This Resolution shall take effect and be in force from and after the earliest period allowed by law.



President

APPROVED: JUL 12 2005



Mayor

Attest;



Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank Co. Form No. 30045

2005-28

Resolution No.

Passed

JUL 25 2005

YEAR

RESOLUTION AUTHORIZING THE CITY AUDITOR TO
MAKE CASH ADVANCES OF UP TO \$25,000 TO THE
COMMUNITY CORRECTIONS FUND FROM THE GENERAL FUND

WHEREAS, the Community Corrections Department is funded by a state grant, and

WHEREAS, the 1st quarter of the FY'06 grant funds may not be received prior to the end of
July, and

WHEREAS, it is necessary to pay expenses on a timely basis, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the City Auditor is hereby authorized to make cash advances of up to \$25,000
to the Community Corrections Fund from the General Fund

Section 2. That upon receipt of the grant funds, said cash advance shall be repaid to the
General Fund. It is estimated that the grant funds will be received in August, 2005.

Section 3. That this resolution shall take effect and be in force from and after the earliest
period allowed by law.



PRESIDENT OF COUNCIL

APPROVED:

JUL 26 2005



MAYOR

ATTEST:



CLERK

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No.

2005-29

Passed

JUL 25 2005

20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO
MAKE CASH ADVANCES OF UP TO \$50,000 TO THE
MARION AREA TRANSIT FUND FROM THE GENERAL FUND.

WHEREAS, the Marion Area Transit system is funded by state and federal grants, and

WHEREAS, the 3rd quarter grant funds may not be received prior to the end of July, and

WHEREAS, it is necessary to pay expenses on a timely basis, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the City Auditor is hereby authorized to make cash advances of up to \$50,000 to the Marion Area Transit Fund from the General Fund

Section 2. That upon receipt of the grant funds, said cash advance shall be repaid to the General Fund. It is estimated that the grant funds will be received in August, 2005.

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

APPROVED: JUL 26 2005


MAYOR

ATTEST:


CLERK

RECORD OF RESOLUTIONS

0023

Dayton Legal Bank, Inc. Form No. 30045

Resolution No. 2005-30

Passed JUL 25 2005 20

RESOLUTION ESTABLISHING THE OAKLAND PARK ACQUISITION FUND

Whereas, there is community interest to purchase land now owned by the Marion City Schools at Uncapher Avenue, Congress Street and Oak Grove Avenue so as to preserve a green space for passive recreation, and

Whereas, the City of Marion has applied for and received a grant from the Clean Ohio Conservation Fund to purchase said land, and

Whereas, it is necessary to establish a fund to document the purchase activities, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That a capital project fund known as the Oakland Park Acquisition Fund is hereby established; its fund number shall be 434.

Section 2. That the Mayor shall administer this fund.

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.




PRESIDENT OF COUNCIL

APPROVED: JUL 26 2005


MAYOR

ATTEST:


CLERK

RECORD OF RESOLUTIONS

0025

Dayton Legal Bank, Inc. Form No. 30043

Resolution No. 2005-31

Passed JUL 25 2005, 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO
MAKE CASH ADVANCES OF UP TO \$21,000 TO THE
OAKLAND PARK ACQUISITION FUND FROM THE GENERAL FUND

WHEREAS, the Oakland Park acquisition is funded by a 75% Clean Ohio Conservation Fund grant, and

WHEREAS, the acquisition is to be on a reimbursement basis, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the City Auditor is hereby authorized to make cash advances of up to \$21,000 to the Oakland Park Acquisition Fund from the General Fund

Section 2. That upon receipt of the grant funds, said cash advance shall be repaid to the General Fund. It is estimated that the grant funds will be received within three weeks after the submission of the disbursement request.

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

APPROVED: JUL 26 2005


MAYOR

ATTEST:


CLERK

RECORD OF RESOLUTIONS

0027

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2005-32, Page One

Passed

JUL 25 2005

, 20

RESOLUTION ACCEPTING THE TERMS AND CONDITIONS IMPOSED BY THE STATE DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF STATE ROUTE 529, WITHIN THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

PID No. 77233

Project No. _____ (2005)

FINAL RESOLUTION

The following Final Resolution enacted by the City of Marion, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on **14th day of June, 2004**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

**Resurfacing of State Route 529,
lying within the City of Marion. Total work length of project
being approximately 9.33 miles; and**

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid and State funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

Prior to the construction commencement date, the City agrees to install and/or repair all curb ramps which are necessary to ensure compliance with the Americans with Disabilities Act and assume and bear one hundred percent (100%) of the cost of such installation and/or repair of curb ramps.

In addition, the City also agrees to assume and bear one hundred percent (100%) of the cost of any construction items requested by the City on the entire improvement, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.

The share of the cost of the LPA is now estimated in the amount of **Seventy Thousand Four Hundred Twenty Eight and - - - - 00/100 Dollars, (\$70,428.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

PID No. 77233
Project No. _____ (2005)

FISCAL OFFICER'S CERTIFICATE
(Chapter 5521 and Section 5705.41, Ohio Revised Code)

I hereby certify to that the money, to wit: **\$70,428.00** required for the payment of the cost other than that thereof assumed by the **Federal** Government, for the improvement of that portion of **State Route 529**, lying within the corporate limits of the City of **Marion**, more particularly described as follows:

Resurfacing of State Route 529. Including 425 feet of road widening and 100 feet of ditch cleanout, lying within the City of Marion. Total work length of project being approximately 9.33 miles; and

has been lawfully appropriated for such purpose and is in the treasury to the credit of, or has been levied placed on the duplicate and in process of collection for the appropriate fund, and not appropriated for any other purpose; or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the legislative authority of the City of **Marion**, Ohio, after said legislative authority passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of the proceedings of said legislative authority, namely:

Legislative Authority's Journal, Volume 20, at Page 27.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said fiscal officer, this 26th day of July, 2005.

(Fiscal Officer's Seal)
(If Applicable)



Fiscal Officer of the City of
Marion, Ohio

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2005-33

Passed AUG 22 2005 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE
ADDITIONAL CASH ADVANCES OF UP TO \$30,000.00 TO THE WIC
FUND FROM THE HEALTH FUND.

WHEREAS, the WIC Fund is funded by a federal grant administered by the
Ohio Department of Health, and

WHEREAS, due to unknown issues at ODH, the City of Marion has not
received any funds since May 16, 2005, and

WHEREAS, it is necessary to continue the operations of the WIC Clinic,
therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County,
Ohio:

Section 1. That the City Auditor is hereby authorized to make additional
cash advances of up to \$30,000.00 to the WIC Fund from the Health Fund.

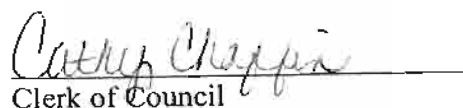
Section 2. That upon receipt of the final FY '05 WIC funds, said advance
shall be repaid to the Health Fund. It is estimated that the final funds will be received
in December, 2005.

Section 3. That this resolution shall take effect and be in force from and
after the earliest period allowed by law.



President of Council

APPROVED: AUG 23 2005


Mayor
Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2005-34

Passed

SEP 12 2005

20

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

WHEREAS, this Council, in accordance with the provisions of law, has previously adopted a budget for the next succeeding fiscal year commencing January 1, 2006, and

WHEREAS, the Budget Commission of Marion County, Ohio has certified its action thereon to this Council, together with an estimate by the County Auditor of the rate of each tax necessary to be levied within the ten mill limitation, and

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio that the amount and rate as determined by the Budget Commission on its certification be, and the same are hereby accepted, and

BE IT FURTHER RESOLVED that there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within the ten mill limitation and without the ten mil limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES.

NAME OF FUND	AMT. TO BE DERIVED FROM LEVIES OUTSIDE 10 MILL LIMITATIONS	AMT. APPROVED BY BUDGET COMMISSION INSIDE 10 MILL LIMITATION	COUNTY AUDITOR'S ESTIMATE OF TAX RATE TO BE LEVIED		
			General Levy	Police Levy	Fire Levy
General Fund		\$1,326,013.00			
Police Relief		118,973.00			
Firemen's Fund		118,973.00			
Marion City SD D12			3.60	.30	.30
Marion City D13 Elgin SD			2.60	.30	.30
Marion City D14 Pleasant SD			.90	.30	.30
Marion City D15 River Valley SD			2.70	.30	.30
Marion City D41 Ridgedale SD			1.40	.30	.30

BE IT FURTHER RESOLVED that the Clerk of this Council be and she is hereby directed to certify a copy of this resolution to the County Auditor of said County.

Section 1. That this resolution should take effect and be in force from and after the earliest period allowed by law.

APPROVED:

SEP 13 2005

Phil Weid
President of Council

Jack L. Kellogg
Mayor

Cathy Chaffin
Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 20045

Resolution No. 2005-35

Passed SEP 20 2005 20

**RESOLUTION CONFIRMING THE APPOINTMENT, BY THE
MAYOR, OF STEVE WILLIAMS TO FILL AN UNEXPIRED TERM
AS A MEMBER OF THE MARION CITY DESIGN REVIEW BOARD,
AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Ordinance No. 1990-5, the Mayor of the City of Marion is authorized to appoint members to the Design Review Board, subject to the approval and consent of Council, and

WHEREAS, Mayor Jack L. Kellogg, has asked Council for its approval and consent to the appointment of Steve Williams to said Board for an unexpired term to end December 31, 2007,

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the appointment by Mayor Jack L. Kellogg of Steve Williams to fill an unexpired four-year term as a member of the Marion City Design Review Board to wit:

MEMBER	TYPE OF MEMBER	TERM
Steve Williams	Affiliated with banking, building, law, or real estate	unexpired 4-year term ending December 31, 2007

Be and the same is hereby approved and confirmed and the consent of Council to such appointment be and the same is hereby granted.

Section 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate protection of welfare and safety related concerns for the citizens of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operations of said City, and as such, shall take effect and be in force upon its passage and approval by the Mayor, provided that it receives the affirmation vote of two thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.



President of Council

APPROVED: SEP 27


Mayor Jack L. Kellogg
Clerk of Council

RECORD OF RESOLUTIONS

1033

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2005-36

Passed SEP 26 2005, 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO
MAKE ADDITIONAL CASH ADVANCES OF UP TO \$17,926
TO THE WIC FUND FROM THE HEALTH FUND

WHEREAS, the WIC fund is funded by a Federal grant administered by the Ohio Department of Health, and

WHEREAS, the City of Marion will receive the 4th quarter funding on a reimbursement basis, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the City Auditor is hereby authorized to make cash advances of up to an additional \$17,926 to the WIC Fund from the Health Fund

Section 2. That upon receipt of the FY'05 grant funds, said cash advance shall be repaid to the Health Fund. It is estimated that the grant funds will be received in December 2005.

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.



PRESIDENT OF COUNCIL

APPROVED: SEP 27 2005


MAYOR

ATTEST:


CLERK

RECORD OF RESOLUTIONS

0597

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2005-37

Passed OCT 10 2005

20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$67,000.00 TO THE WIC FUND FROM THE HEALTH FUND.

WHEREAS, the WIC Fund is funded by a federal grant administered by the Ohio Department of Health, and

WHEREAS, the WIC grant is a reimbursing grant that does advance some funding, and

WHEREAS, the City of Marion has yet to receive its 1st quarter funding, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the City Auditor is hereby authorized to make cash advances of up to \$67,000.00 to the WIC Fund from the Health Fund.

Section 2. That upon receipt of the final FY '06 grant funds, said advances shall be repaid to the Health Fund. It is estimated that the final funds will be received in December, 2006.

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.



President of Council

APPROVED: OCT 11 2005



Mayor



Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Station, Inc. Form No. 30045

Resolution No. 2005-38

Passed

OCT 10 2005

20

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR THE UPCOMING STATEWIDE BALLOT MEASURE COMMONLY REFERRED TO AS STATE ISSUE 1 AND DECLARING AN EMERGENCY

WHEREAS, this November 8th, the people of the State of Ohio will vote on what is now commonly referred to as State Issue 1. This ballot issue will replace the expiring State Issue II infrastructure funding and provide much needed financing of local government public infrastructure capital improvement research and development, and the development of certain sites and facilities in Ohio. It will also expand state and local government authority regarding economic development, and

WHEREAS, the Council for the City of Marion recognizes the significant improvements that have been realized during the past 20 years of Issue II funding and desires to continue the preservation of jobs, the enhancement of education opportunities, expansion of Ohio's research capabilities, promotion of innovation, development and commercialization providing for a improvement of citizens quality of life, and

WHEREAS, Issue will allow for the issuance of \$ 1.35 billion in bonds to accomplish those items in the paragraphs above, including paying for roads, bridges, wastewater systems, water supply systems, solid waste disposal facilities, storm water and sanitary collection, storage and treatment systems. It will also provide \$ 500 million in bonds to promote the aforementioned research components and \$ 150 million in bonds to develop sites for industry, commerce and the like,

Now therefore, BE IT RESOLVED by the Council for the City of Marion, Ohio:

Section 1. The Council for the City of Marion does hereby endorse and support the passage of State Issue I as the items it will provide for as listed above are necessary for the general betterment of the quality of life of Ohioans. The Clerk is to forward a copy of this Resolution to the Ohio Jobs Committee.

Section 2. This Resolution is hereby declared to be an emergency measure in order to meet grant deadlines and for this reason, the resolution shall take effect and be in force immediately upon its passage and approval by the Mayor, provided that if receives the affirmative vote of two thirds of all members elected to Council: otherwise, it shall become effective from and after the earliest period allowed by law.



President

Approved: OCT 11 2005


Mayor

Attest;


Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blanks, Inc. Form No. 30045

Resolution No. 2005-39

Passed OCT 10 2005, 20

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARION, OHIO TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING AN EMERGENCY.

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the City of Marion, Ohio is planning to make capital improvements for the 2006 Street Resurfacing Project, and

WHEREAS, the infrastructure improvements herein above described are considered to be a priority need for the community and are qualified projects under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1: The Mayor is hereby authorized to apply to the OPWC for funds as described above.

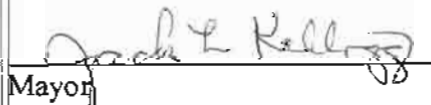
Section 2: The Mayor is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Section 3: This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary to meet the October 13, 2005 State Issue 2 deadline; and as such, shall take effect and be in force immediately upon its passage and approval by the Mayor provided it receives the affirmative vote of all members elected to Council; otherwise it shall become effective from and after the earliest period allowed by law.



President of Council

Approved: OCT 11 2005


Mayor

Attest:


Clerk of Council

RECORD OF RESOLUTIONS

5643

Clayton Legal Blank, Inc. Form No. 35045

Resolution No. 2005-40

Passed NOV 14 2005 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO
MAKE CASH ADVANCES OF UP TO \$25,000 TO THE
VIOLENCE AGAINST WOMEN FUND FROM THE GENERAL FUND

WHEREAS, the Violence Against Women Fund is funded by a Federal grant administered by the Office of Criminal Justice Services, and

WHEREAS, the VAWA grant is a reimbursing grant, and

WHEREAS, the City of Marion desires to continue the program, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the City Auditor is hereby authorized to make cash advances of up to \$25,000 to the VAWA Fund from the General Fund

Section 2. That upon receipt of the final FY'04 grant funds, said cash advances shall be repaid to the General Fund. It is estimated that the final grant funds will be received in February, 2006.

Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.


PRESIDENT OF COUNCIL

APPROVED: NOV 15 2005


MAYOR

ATTEST:


CLERK

RECORD OF RESOLUTIONS

0541

Dayton Legal Blank, Inc., Form No. 30045

2005-41

Resolution No.

Passed

JUL 18 10

20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$19,100 TO THE FORMULA GRANT FUND FROM THE REVOLVING LOAN FUND.

WHEREAS, there are administrative expenses owed to the Marion City/County Regional Planning Commission for the months of April through November, and

WHEREAS, the draw-down of grant funds will probably not be received prior to the end of 2005, and

WHEREAS, the Marion City/County Regional Planning Commission needs to have operating funds, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio,

Section 1. That the City Auditor is hereby authorized to make a cash advances of to \$19,100 to the Formula Grant Fund from the Revolving Loan Fund.

Section 2. That upon receipt of the grant funds, said cash advances shall be repaid to the Revolving Loan Fund. It is estimated that the draw-down will be received in January 2006.

Section 3. That this resolution take effect and be in force from and after the earliest period allowed by law.



President of Council

Approved:

JUL 18 2005



Mayor

Attest;



Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Bank, Inc. Form No. 30045

Resolution No. 2005-42

Passed DEC 12 2005, 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$10,000 TO THE COMMUNITY DISTRESS PROGRAM GRANT FUND FROM THE REVOLVING LOAN FUND.

WHEREAS, there are administrative expenses owed to the Marion City/County Regional Planning Commission for the months of April through November, and

WHEREAS, the draw-down of grant funds will probably not be received prior to the end of 2005, and

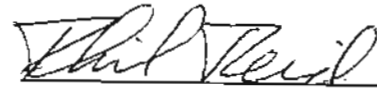
WHEREAS, the Marion City/County Regional Planning Commission needs to have operating funds, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio,

Section 1. That the City Auditor is hereby authorized to make a cash advances of to \$10,000 to the Community Distress Program Grant Fund from the Revolving Loan Fund.

Section 2. That upon receipt of the grant funds, said cash advances shall be repaid to the Revolving Loan Fund. It is estimated that the draw-down will be received in January 2006.

Section 3. That this resolution take effect and be in force from and after the earliest period allowed by law.



President of Council

Approved: DEC 13 2005



Mayor

Attest;



Clerk of Council

RECORD OF RESOLUTIONS

38

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2005-43

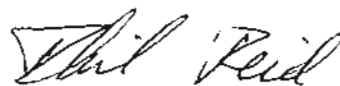
Passed DEC 2 7 2005 20

RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF RICHARD STEVEN TO SERVE AS A MEMBER OF THE MARION CITY BOARD OF HEALTH AND DECLARING AN EMERGENCY.

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio,

Section 1. That the re-appointment by Mayor Jack L. Kellogg of Richard Steven, to serve a five-year term beginning January 1, 2006, as a member of the Marion City Board of Health, and for which term expires December 31, 2010, be and is hereby confirmed and approved.

Section 2. That the resolution is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of said City; and as such shall take effect and be in force immediately upon its passage and approval by the Mayor provided it receives the affirmative vote of two-thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.



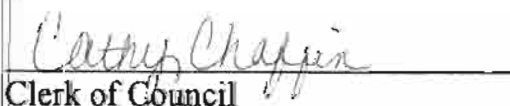
President of Council

Approved: DEC 2 8 2005



Mayor Jack L. Kellogg

Attest:



Clerk of Council

RECORD OF RESOLUTIONS

000051

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. **2005-44**

Passed **SEP 27 2005** 20

RESOLUTION TO COOPERATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF A NEW STORM SEWER FROM BARKS ROAD TO EXECUTIVE DRIVE IN THE CITY OF MARION, OHIO AND DECLARING AN EMERGENCY.

(Ordinance No. 2005-74)

PID No. **75240**
Project No. _____ (2005)

FINAL RESOLUTION

The following Final Resolution enacted by the City of Marion, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on **13th day of September, 2005**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

Construction of storm sewer connecting Part 1, MAR-C.R.138-0.34, to the existing city storm sewer along Executive Drive, lying within the City of Marion. Total work length of project being approximately 1.00 miles; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the construction cost of those items shown in part two of the construction, and further, the City agrees to assume and bear one hundred percent (100%) of their Right-of-Way costs, excluding any Right-of-Way charges incurred by the State or funded with Federal-aid funds.

The share of the cost of the LPA is now estimated in the amount of **Three Hundred Sixteen Thousand Three and - - - 77/100 Dollars, (\$316,003.77)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

- I. That the estimated sum of **Three Hundred Sixteen Thousand Three and - - - 00/100 Dollars, (\$316,003.77)**, is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal funds**.

RECORD OF RESOLUTIONS

000052

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2005-44, Page Two

Passed

DEC 27 2005

20

- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that Safety/Service Director be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the 27th day of December, 2 005, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume 20, at Page 51, and under date of December 28, 2 005.

This Ordinance is hereby declared to be an emergency measure due to the required time restrictions and as such shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.




President of Council

APPROVED: DEC 28 2005



Mayor

ATTEST:



Clerk of Council

FISCAL OFFICER'S CERTIFICATE
(Chapter 5521 and Section 5705.41, Ohio Revised Code)

I hereby certify to that the money, to wit: **\$316,003.77** required for the payment of the cost other than that thereof assumed by the **Federal** Government, for the improvement of that portion of **County Road 138**, lying within the corporate limits of the City of **Marion**, more particularly described as follows:

Construction of storm sewer connecting Part 1, MAR-C.R.138-0.34, to the existing city storm sewer along Executive Drive, lying within the City of Marion. Total work length of project being approximately 1.00 miles; and

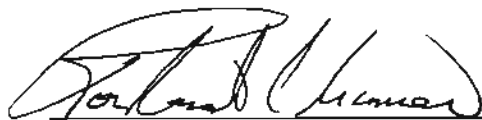
has been lawfully appropriated for such purpose and is in the treasury to the credit of, or has been levied placed on the duplicate and in process of collection for the appropriate fund, and not appropriated for any other purpose; or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the legislative authority of the City of **Marion**, Ohio, after said legislative authority passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of the proceedings of said legislative authority, namely:

Legislative Authority's Journal, Volume 20, at Page 51.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said fiscal officer, this 28th day of December, 2005.

(Fiscal Officer's Seal)
(If Applicable)



Fiscal Officer of the City of
Marion, Ohio

RECORD OF RESOLUTIONS

9356

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2005-45

Passed DEC 3 7 2005, 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$66,000 TO THE TRANSIT FUND FROM THE GENERAL FUND.

WHEREAS, the Marion Area Transit system is funded by state and federal grants, and

WHEREAS, the City of Marion has not received all of its 4th quarter funding, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio,

Section 1. That the City Auditor is hereby authorized to make a cash advances of up to \$66,000 to the Transit Fund from the General Fund.

Section 2. That upon receipt of the 4th quarter FY'05 grant funds, said cash advances shall be repaid to the General Fund. It is estimated that the final funds will be received in February 2006.

Section 3. That this resolution take effect and be in force from and after the earliest period allowed by law.



President of Council

Approved: DEC 2 8 2005



Mayor

Attest;



Clerk of Council

RECORD OF RESOLUTIONS

0055

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2005-46

Passed DEC 27 2005, 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$20,000 TO THE WIC FUND FROM THE GENERAL FUND.

WHEREAS, the WIC Fund is funded by a federal grant administered by the Ohio Department of Health, and

WHEREAS, the WIC grant is a reimbursing grant that does some advance funding, and

WHEREAS, the City of Marion has not received its 2nd quarter funding, therefore

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio,

Section 1. That the City Auditor is hereby authorized to make a cash advances of up to \$20,000 to the WIC Fund from the General Fund.


Section 2. That upon receipt of the 2nd quarter FY'06 grant funds, said cash advances shall be repaid to the General Fund. It is estimated that the final funds will be received in January 2006.

Section 3. That this resolution take effect and be in force from and after the earliest period allowed by law.



President of Council

Approved: DEC 28 2005


Mayor

Attest;


Clerk of Council