

# RECORD OF RESOLUTIONS

Dayton Legal Blanks, Inc. Form No. 30045

Resolution No. 2007-1

Passed January 9

2007


**RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF TERESA HAYCOX TO SERVE AS A MEMBER OF THE MARION CITY RECREATION BOARD AND DECLARING AN EMERGENCY.**

**WHEREAS**, Mayor Jack L. Kellogg has asked Council for its approval of the re-appointment of Teresa Haycox to the Marion City Recreation Board for a term of five (5) years, with said term to begin on January 1, 2007 and to end on December 31, 2011.

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

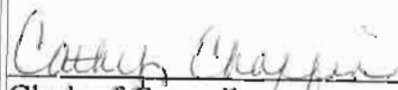
Section 1. That the re-appointment by Mayor Jack L. Kellogg of Teresa Haycox to serve a five-year term beginning January 1, 2007, as a member of the Marion City Recreation Board, which term expires December 31, 2011 be and is hereby confirmed and approved.

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: January 11, 2007

  
\_\_\_\_\_  
Mayor Jack L. Kellogg  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-2, Page One

Passed January 9, 2007

A RESOLUTION RECOMMENDING THAT THE MARION COUNTY BOARD OF COMMISSIONERS ENTER INTO AN AGREEMENT WITH BEAVER PAPER & PACKAGING INC. CURRENTLY LOCATED AT 1605 INDIAN BROOK WAY, BLDG. 300, NORCROSS GA. 30093 FOR THE PURPOSE OF ABATEMENT OF REAL PROPERTY TAX ON BUILDING IMPROVEMENTS AT A VACANT MANUFACTURING FACILITY AT 747 PERRY STREET, MARION, OHIO TO ENCOURAGE THEM TO LOCATE AND IMPROVE THE SITE AND DECLARING AN EMERGENCY.

WHEREAS, The City Council of Marion, Ohio finds that BEAVER PAPER & PACKAGING INC. (THE COMPANY) is qualified by financial responsibility and business experience to create and preserve employment opportunities in Marion City Enterprise Zone and to improve the economic climate of the City of Marion; and

WHEREAS, the COMPANY has agreed, contingent on tax abatement and other necessary incentives and infrastructure improvements, to locate in an existing manufacturing warehouse and make improvements to the plant, estimated to cost \$800,000, to move in to Ohio \$ 700,000 in new and used machinery and equipment, to add office furniture and fixtures costing about \$150,000, and add inventory valued at \$3,000,000.

WHEREAS, on or before July 1, 2010, the number of full-time jobs to be created from this expansion is estimated to be 44 with an annual payroll estimated to be \$2,573,307 from these additional positions, then

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

Section 1. That Council hereby recommends that the Marion County Board of Commissioners enter into an agreement with the COMPANY pursuant to Section 5709.63 (A) ORC, for the abatement of tax on the increased real estate value due to property improvements in their project at a rate of 50% for a period of ten (10) years. . Said exemption shall be effective the first year for which the real property tax on the improvements would first be taxable were that property not exempted from taxation. The abatement shall be on the amount invested in the three (3) year project term starting with the date of the agreement with the County, but the total abatement shall not be effective for more than a total of ten (10) years

Section 2. That Council further recommends that the agreement include COMPANY promise to maintain at the manufacturing plant during the period of the agreement a permanent workforce . If the workforce drops below 44 employees after December 31, 2010, but subject to considering cyclical variations in the industry resulting in temporary nonpermanent layoff, the County Board of Commissioners may proportionately reduce the exemption or terminate the agreement. Further, if the facility ceases operations during the period of the abatement, the COMPANY or its successors, shall not only forfeit additional tax abatement, but shall repay to Marion County all taxes previously forgiven in the previous years under this agreement.

Section 3. That the Clerk of this Council is hereby directed to transmit a copy of this resolution to the Marion County Commissioners.

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Dayton Lodge Blank, Inc. Form No. 30045

Resolution No. 2007-2, Page Two

Passed January 9, 20 07

Section 4. 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 for the further reason that it is necessary for the daily operation of the 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.

Phil Red  
PRESIDENT OF COUNCIL

APPROVED: January 11, 2007

Jack L Kellogg  
JACK L. KELLOGG, MAYOR

ATTEST:

Cathy Chappin  
CLERK OF COUNCIL

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 00045

Resolution No. 2007-3

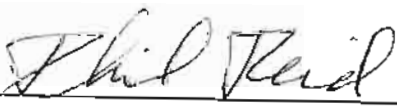
Passed January 22, 2007

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

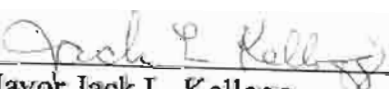
**BE IT RESOLVED** by the Council of the City of Marion, Marion County, Ohio,

Section 1. That the re-appointment by Mayor Jack L. Kellogg of Carol Columber, to serve a five-year term beginning January 1, 2007, as a member of the Marion City Board of Health, and for which term expires December 31, 2011, be and is hereby confirmed and approved.

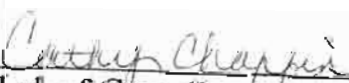
Section 2. That the resolution is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof and for the further reason 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.

  
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President of Council

Approved: January 23, 2007

  
\_\_\_\_\_  
Mayor Jack L. Kellogg

Attest:

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

Clayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-4, Page One

Passed January 22, 2007

## 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.	Easy Street	Fairwood Street	Bermuda Drive
2.	Pennsylvania Avenue	W. Center Street	Mt. Vernon Avenue
3.	Community Drive	Delaware Avenue	300' west of Crescent Hts. Rd.
4.	Farming Street	Jefferson Street	Greenwood Street
5.	Robinson Avenue	Fairground Street	Bermuda Avenue
6.	Church Street	Park Boulevard	Blaine Avenue
7.	Fairview Street	N. Main Street	Fairwood Street
8.	Harding Memorial Pkwy	McKinley Park Blvd.	Executive Drive
9.	Wilson Avenue	Greenwood Street	Jefferson Street
10.	Seffner Avenue	Center Street	North Termini
11.	Silver Street	W. Corporation	Prospect Street
12.	Prospect Street	N. Corporation	Walnut Street
13.	Ballentine Avenue	Fairground Street	Quarry Street
14.	Vine Street	Center Street	Walnut Street
15.	Rodney Drive	Colonial Drive	Amherst Drive
16.	Davids Street	Bellefontaine Avenue	Barks Road
17.	National Drive	Clinton Street	St. Gallen Street
18.	Seffner Avenue	Mt. Vernon Avenue	Center Street
19.	Adams Street	N. Greenwood Street	Jefferson Street
20.	Olney Avenue	Center Street	Bellefontaine Avenue
21.	Mark Street	Prospect Street	Jefferson Street
22.	Westlawn Drive	Vancouver Drive	Catalina Drive
23.	Delaware Avenue	Hill Street	S. Corporation
24.	George Street	Greenwood Street	Jefferson Street
25.	Kenton Avenue	W. Corporation	Center Street
26.	Mt. Vernon Avenue	Grand Avenue	E. Corporation
27.	State Street	Patten Street	Washington Street
28.	Bennett Street	Latourette Street	Davids Street
29.	Van Buren Street	Grant Street	Jefferson Street
30.	Burgundy Drive	Normandy Drive	Marseille Drive
31.	Shadyside Drive	Brightwood Drive	Forest Street
32.	Curve Street	Center Street	Bennett Street

2006  
**RECORD OF RESOLUTIONS**

Dayton Legal Blank, Inc. Form No. 90043

Resolution No. 2007-4, Page Two

Passed January 22, 20 07

**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, 2007 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: January 23, 2007

Phil Steid  
President of Council

Josh L. Kellogg  
Mayor

Attest:

Cathy Chappin  
Clerk of Council

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-5

Passed January 22, 2007

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE A CASH ADVANCE OF \$47,615.41 TO THE DOFASCO TIF FUND FROM THE GENERAL FUND AND, DECLARING AN EMERGENCY

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 of Marion must make a loan payment which is due January 29, 2007, and

WHEREAS, the first TIF payment for 2007 will be received with the first half property taxes distributed by the County Auditor, and

WHEREAS, there is an insufficient cash balance in the Dofasco TIF Fund to make the January 29, 2007 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 \$47,615.41 to the Dofasco TIF Fund from the General Fund.

Section 2. That upon receipt of the TIF payment from the Marion County Auditor, said cash advance shall be repaid to the General Fund. It is estimated that the funds will be received in March 2007.

Section 3. That this resolution is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and its' inhabitants thereof and for the further reason that there are insufficient funds available in the Dofasco TIF Fund, 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 member elected to Council, otherwise it shall become effective from and after the earliest period allowed by law.



PRESIDENT OF COUNCIL

APPROVED: January 23, 2007

  
MAYOR

ATTEST:

  
CLERK

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-6

Passed January 22, 2007

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR AFFORDABLE HOUSING AND THE PROJECT BEING PROPOSED BY THE MARION ROTARY SENIOR CITIZENS, INC.

WHEREAS, the Marion Rotary Senior Citizens, Inc. 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 Marion Rotary Senior Citizens, Inc project proposed to be developed within the City. The Council supports the project as was summarized and which is expected to contain approximately 130 units of housing for the elderly at its existing facility at 400 Delaware Avenue, with funding sources such as the Housing Credit Program, Housing Development Assistance Program and Housing Development Loan Program and/or Multifamily Bond Program.

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: January 23, 2007

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Clerk of Council



# RECORD OF RESOLUTIONS

Quinn Legal Blank, Inc. Form No. 30045

Resolution No. 2007-7, Page One

Passed FEB 12 2007 20

A RESOLUTION RECOMMENDING THAT THE MARION COUNTY BOARD OF COMMISSIONERS ENTER INTO AN AGREEMENT WITH MARION INDUSTRIES INC. 999 KELLOGG PARKWAY IN THE CITY OF MARION FOR THE PURPOSE OF ABATEMENT OF REAL PROPERTY TAX ON A BUILDING ADDITION AT ITS MANUFACTURING FACILITY, AT THE SAME LOCATION, TO ENCOURAGE THEM TO EXPAND AND CREATE JOBS , AND DECLARING AN EMERGENCY.

WHEREAS, By Ordinance No. 1985-70, adopted by the Council of the City of Marion on September 23, 1985 and by Resolution No. 85-909 adopted by MARION COUNTY on October 1, 1985, the County designated an area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Ohio Revised Code, and that the boundaries of the Enterprise Zone were amended by the Council of the City of Marion by Ordinance No. 1997-117 on August 28, 1997 and by Marion County by Resolution No. 97-0935 on August 28, 1997, and that the boundaries of this Enterprise Zone were further amended by the Council of the City of Marion by Ordinance No. 2003-76 on July 28, 2003 and by Marion County by Resolution No. 2003-0843 on October 9, 2003, which area is shown in Exhibit A, which is attached and incorporated, and both Marion City and Marion County have declared that incentives to business offered by this zone will enhance efforts to promote the viable and diverse economic activities necessary for rejuvenation of the zone; and

WHEREAS, effective November 4, 1985, as amended September 3, 1997, and as further amended November 12, 2003, the Director of Development of the State of Ohio determined that the aforementioned area, as amended, contains the characteristics set forth in R.C. 5709.61(A) and certified said area as an "Urban Jobs and Enterprise Zone" under R.C. Chapter 5709; and

WHEREAS, MARION INDUSTRIES INC. (THE COMPANY), is desirous of expanding its current manufacturing facility by constructing an approximately 87,200 square foot addition at a cost of approximately \$4,200,000 and installing new machinery and equipment at a cost of approximately \$3,800,000 provided that the appropriate development incentives are available to support the economic viability of the Project; and,

WHEREAS, The Enterprise Zone Director and City Council of Marion, Ohio finds that THE COMPANY is qualified by financial responsibility and business experience to create and preserve employment opportunities in Marion City Enterprise Zone and to improve the economic climate of the City of Marion; and

WHEREAS, The Project Site as proposed by the COMPANY is located in both the Ridgedale Local School District and the Marion City School District (the "School Districts") and they and the Tri- Rivers Career Center have been notified in accordance with R.C. Section 5709.83 and have been given a copy of the application; and

WHEREAS, pursuant to Ordinance No. 1999-39, passed March 22, 1999 (TIF #2) the City, with approval of Marion City Schools, declared 100% of the increase in the assessed value of certain parcels of real property in the City , basically all land in the Marion City School District portion of the Dual Rail Industrial Park not in TIF #1, including all of the COMPANY land at that time in the Marion City School District, to be a public purpose and exempt from real property taxation for a period of 14 years; and

WHEREAS, pursuant to Ordinance No. 1999-90 passed on June 28, 1999 (TIF #3) the City, with approval of Ridgedale Local Schools, declared 100% of the increase

Resolution No. 2007-7, Page Two

Passed FEB 12 2007 . 20

in the assessed value of certain parcels of real property in the City, basically all land in the Ridgedale District portion of the Dual Rail Industrial Park, including all of the COMPANY land at that time in Ridgedale School District, to be a public purpose and exempt from real property taxation for a period of 20 years; and

WHEREAS, pursuant to R.C. Section 5709.911(B)(2), the City may consent to a subsequent exemption within the area covered by the TIF Ordinance, which consent would allow the subsequent exemption to take priority over the exemption granted pursuant to the TIF Ordinance; and

WHEREAS, the THE SCHOOL DISTRICTS have both adopted policies (City Schools on January 12, 1998 and Ridgedale March 9, 1999) allowing the City of Marion to grant up to and including a 50% abatement with the remaining taxes going into a TIF and waiving the 45 day review period and full School Board approval; and

WHEREAS, on or before December 31, 2010, the number of full-time jobs to be created from this expansion is estimated to be 22 with an annual payroll estimated to be \$705,440 from these additional positions, then

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

Section 1. That Council hereby recommends that the Marion County Board of Commissioners enter into an agreement with the COMPANY pursuant to Section 5709.63 (A) ORC, for the abatement of tax on the increased real estate value due to property improvements in their project at a rate of 50% for a period of ten (10) years. . Said exemption shall be effective the first year for which the real property tax on the improvements would first be taxable were that property not exempted from taxation. The abatement shall be on the amount invested in the three (3) year project term starting with the date of the agreement with the County, but the total abatement shall not be effective for more than a total of ten (10) years.

Section 2. Pursuant to R.C. Section 5709.911(B)(2), City Council hereby consents that the Enterprise Zone exemptions to be granted pursuant to the Agreement shall take priority over any exemptions granted pursuant to the TIF Ordinances for the COMPANY Project Site.

Section 3. That Council further recommends that the agreement include COMPANY promise to maintain at the manufacturing plant during the period of the agreement a permanent workforce. If the workforce drops below 22 employees after December 31, 2010, but subject to considering cyclical variations in the industry resulting in temporary nonpermanent layoff, the County Board of Commissioners may proportionately reduce the exemption or terminate the agreement. Further, if the facility ceases operations during the period of the abatement, the COMPANY or its successors, shall not only forfeit additional tax abatement, but shall repay to Marion County all taxes previously forgiven in the previous years under this agreement.

Section 4. That the Clerk of this Council is hereby directed to transmit a copy of this resolution to the Marion County Commissioners.

Section 5. 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 for the further reason that it is necessary for the daily operation of the 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

# RECORD OF RESOLUTIONS

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Dayton Legal Blank, Inc., Form No. 3045

Resolution No. 2007-7, Page Three

Passed FEB 12 2007, 20

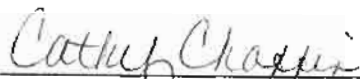
Section 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof, and for the further reason that it is necessary for the daily operation of the City; and as such, 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  
Pro Tempore

APPROVED: FEB 12 2007

  
\_\_\_\_\_  
MAYOR *ALIAS*

ATTEST:

  
\_\_\_\_\_  
CLERK OF COUNCIL

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-8

Passed FEB 12 2007

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RESOLUTION AUTHORIZING THE CITY AUDITOR TO  
MAKE A CASH ADVANCE OF UP TO \$52,650 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 of Marion must make a loan payment which is due July 29, 2007, and

WHEREAS, the second TIF payment for 2007 will be received with the second half property taxes distributed by the County Auditor, and

WHEREAS, there may be an insufficient cash balance in the Dofasco TIF Fund to make the July 29, 2007 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 up to \$52,650 to the Dofasco TIF Fund from the General Fund.

Section 2. That upon receipt of the TIF payment from the Marion County Auditor, said cash advance shall be repaid to the General Fund. It is estimated that the funds will be received in August 2007.

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

*Mike Termitz*

PRESIDENT OF COUNCIL

Pro Tempore

APPROVED: FEB 12 2007

*Phil Steid*  
MAYOR ACTING

ATTEST:

*Cathy Chappin*  
CLERK

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-9

Passed FEB 12 2007, 20

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

WHEREAS, the City of Marion has been awarded a Violence Against Women Initiative Grant through the Ohio Office of Criminal Justice Services, and

WHEREAS, said grant is a reimbursing grant, and

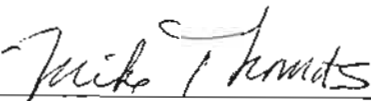
WHEREAS, the City of Marion desires to pay its bills on a timely basis, therefore

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 cash advances of up to \$25,000 to the Violence Against Women Initiative Fund from the General Fund.

Section 2. That upon receipt of the final FY'06 grant funds in 2008, said cash advance shall be repaid to the General Fund. It is estimated that the funds will be received in February 2008.

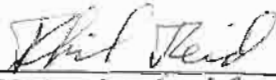
Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.



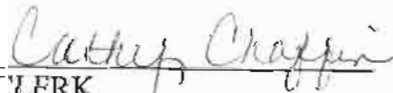
PRESIDENT OF COUNCIL

Pro Tempore

APPROVED: FEB 12 2007

  
MAYOR ACTING

ATTEST:

  
CLERK

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-10

Passed FEB 12 2007, 20  

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE  
CASH ADVANCES OF UP TO \$25,000 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 of Marion 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 cash advances of up to \$25,000 to the School Resource Officer Fund from the General Fund.

Section 2. That upon receipt of the final FY'06 grant funds in 2008, said cash advance shall be repaid to the General Fund. It is estimated that the funds will be received in February 2008.

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

  
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PRESIDENT OF COUNCIL  
Pro Tempore

APPROVED: FEB 12 2007

  
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MAYOR ACTING

ATTEST:

  
\_\_\_\_\_  
CLERK

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30843

Resolution No. 2007-11

Passed FEB 12 2007, 20  

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 Fund is funded by a Jail Diversion Grant administered by the Ohio Department of Rehabilitation and Correction, and

WHEREAS, the City of Marion's fund advances may not be received as scheduled, and

WHEREAS, the City of Marion 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 cash advances of up to \$25,000 to the Community Corrections Fund from the General Fund.

Section 2. That upon receipt of the final FY'08 grant funds, said cash advances shall be repaid to the General Fund. It is estimated that the final funds will be received in May 2008.

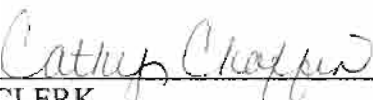
Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

  
PRESIDENT OF COUNCIL  
Pro Tempore

APPROVED: **FEB 12 2007**

  
MAYOR *ACTING*

ATTEST:

  
CLERK

# RECORD OF RESOLUTIONS

0148

Dayton Legal Blank, Inc., Form No. 30945

Resolution No. 2007-12

Passed FEB 12 2007, 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE  
CASH ADVANCES OF UP TO \$15,000 TO THE CHIP FUND  
FROM THE GENERAL FUND

WHEREAS, the CHIP Fund is funded by Grants administered by the Ohio Department of Development, and

WHEREAS, the City of Marion's grant drawdowns are not always requested or received on a timely basis, and

WHEREAS, the City of Marion 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 cash advances of up to \$15,000 to the CHIP Fund from the General Fund.

Section 2. That upon receipt of the final 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 November 2008.

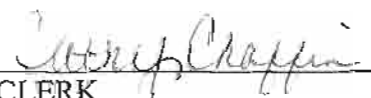
Section 3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

  
PRESIDENT OF COUNCIL  
Pro Tempore

APPROVED: FEB 12 2007

  
MAYOR ACTING

ATTEST:

  
CLERK



# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 20035

Resolution No. 2007-13

Passed FEB 12 2007, 20  

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE  
CASH ADVANCES OF UP TO \$100,000 TO THE MARION AREA  
TRANSIT FUND FROM THE GENERAL FUND

WHEREAS, the Marion Area Transit (MAT) Fund is funded by Federal and State grants administered by the Ohio Department of Transportation, and

WHEREAS, the City of Marion's grant advances are not always received on a timely basis, and

WHEREAS, the City of Marion 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 cash advances of up to \$100,000 to the MAT Fund from the General Fund.

Section 2. That upon receipt of the final FY'07 grant funds, said cash advances shall be repaid to the General Fund. It is estimated that the final funds will be received in February 2008.

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

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL  
Pro Tempore

APPROVED: **FEB 12 2007**

  
\_\_\_\_\_  
MAYOR *ACTING*

ATTEST:

  
\_\_\_\_\_  
CLERK

# RECORD OF RESOLUTIONS

674.

Dayton Legal Blanks, Inc. Form No. 20045

Resolution No. 2007-14

Passed FEB 12 2007, 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE  
CASH ADVANCES OF UP TO \$80,000 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 City of Marion's fund advances may not be received as scheduled, and

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

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

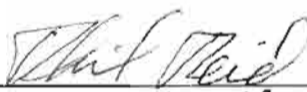
Section 1. That the City Auditor is hereby authorized to make cash advances of up to \$80,000 to the WIC Fund from the General Fund.

Section 2. That upon receipt of the final FY'07 grant funds, said cash advances shall be repaid to the General Fund. It is estimated that the final funds will be received in December 2007.

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

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL  
Pro Tempore

APPROVED: FEB 12 2007

  
\_\_\_\_\_  
MAYOR ACTING

ATTEST:

  
\_\_\_\_\_  
CLERK

# RECORD OF RESOLUTIONS

Dayton Legal Blank Inc. Form No. 30045

Resolution No. 2007-15

Passed MAR 12 2007, 20  

## 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.

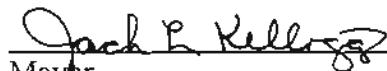
Section 3. The Council hereby grants all necessary authority to directly pay the vendor, under each contract of the Ohio Department of Transportation in which the Council participates, for each item it receives pursuant to the contract.

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 effect on the earliest date allowed by law.

  
\_\_\_\_\_  
President of Council

APPROVED: **MAR 13 2007**

  
\_\_\_\_\_  
Mayor

Attest;

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 20045

Resolution No. 2007-16

Passed APR 09 2007, 20  

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,

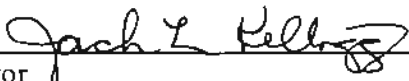
BE IT RESOLVED by the City of Marion, Marion County, Ohio.

Section 1. The Council for the City of Marion hereby indicates its support for the Scioto Crossing 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: APR 10 2007

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 20045

Resolution No. 2007-17

Passed MAR 12 2007, 20  

RESOLUTION AUTHORIZING THE CITY AUDITOR TO  
MAKE CASH ADVANCES OF UP TO \$370,000 TO THE  
AIRPORT IMPROVEMENT FUND FROM THE GENERAL  
FUND, AND DECLARING AN EMERGENCY

WHEREAS, the City of Marion, Donald B. Yeoman and Dorothy M. Yeoman have entered into a real estate purchase and sale contract for real estate located at and adjacent to the Marion Municipal Airport, and

WHEREAS, the closing on said real estate may occur prior to the receipt of the grant funds from the Federal Aviation Administration (FAA), and

WHEREAS, the City of Marion must have the necessary funds available for said 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 \$370,000 to the Airport Improvement Fund from the General Fund.

Section 2. That upon receipt of the grant funds from the FAA, said cash advance shall be repaid to the General Fund. It is estimated that the funds will be received in May 2007.

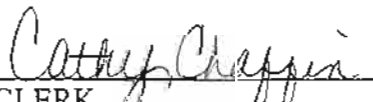
Section 3. That this resolution is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof, and for the further reason that given the restricted time frame contained within the purchase contract and the fact that time is of the essence, shall 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 take effect and be in force from and after the earliest period allowed by law.

  
PRESIDENT OF COUNCIL

APPROVED: MAR 13 2007

  
MAYOR

ATTEST:

  
CLERK

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 20145

Resolution No.

2007-18

Passed

APR 09 2007

, 20

RESOLUTION SUPPORTING THE IMPLEMENTATION OF THE COMBINE SEWER OVERFLOW LONG TERM CONTROL PLAN. PROVIDING FOR THE INVESTIGATION AND CONSTRUCTION SCHEDULE AS SUBMITTED TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY MARCH 1, 2007.

Whereas, the City of Marion continues to be committed to compliance with all local, state and federal regulations protecting the environment, and

Whereas, the City of Marion currently operates a combined sanitary and storm water system, and

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

Section 1. Marion City Council hereby expresses its support and endorsement of improvements to the Storm and Sanitary Sewer Collection System in order to better serve the citizens and also in order to meet standards generated by the Clean Water Act.

Section 2. Funds for Improvements will be made available from various sources including, but not limited to, Storm Sewer Fund and the Sewer System Improvement 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:

APR 10 2007



\_\_\_\_\_  
Mayor Jack L. Kellogg

Attest:



\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30645

Resolution No. 2007-19

Passed APR 09 2007, 20  

**RESOLUTION CONFIRMING THE APPOINTMENT, BY THE  
MAYOR, OF WAYNE RUSSELL, TO SERVE AS A MEMBER OF  
THE MARION CITY BOARD OF HEALTH LICENSE ADVISORY  
COUNCIL AND DELARING AN EMERGENCY**

WHEREAS, Amended Substitute Senate Bill 136 of the 124<sup>th</sup> General Assembly enacted into law in 2001 a License Advisory Council under O.R.C. 3709.41 and at its meeting on May 28, 2002 Marion City Council approved the creation of and initial members appointed to such License Advisory Council, and

WHEREAS, the License Advisory Council by statute is required to have certain representatives upon it from designated categories of entities licensed by the Board of Health, and

WHEREAS, the Mayor, with the assistance of the Health Commissioner and the Director of Public Health, has identified Wayne Russell, a resident of the City of Marion to serve as member of the Marion City Health Board's License Advisory Council, as a representative of the Tattoo and Body Piercing Businesses in the City of Marion for a term which will expire on May 31, 2010.

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

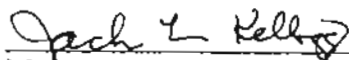
Section 1. Pursuant to the directive as contained within O.R.C. 3709.41, the Mayor hereby appoints Wayne Russell, a resident of the City of Marion, Ohio as a representative of the Tattoo and Body Piercing Business, to serve as a member of the Marion City Board of Health License Advisory Council for a term that will expire on May 31, 2010.

Section 2. That this resolution is hereby declared to be an emergency measure necessary for the immediate protection of economic and health related concerns for the citizens of the City of Marion and the inhabitants thereof and for the further reason that it is necessary due to the need to have the License Advisory Council in place without further delay, the resolution shall take effect and be enforced immediately upon its' 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 **APR 10 2007**

  
\_\_\_\_\_  
Mayor  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

Clayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-20

Passed APR 23 2007, 2007

RESOLUTION AUTHORIZING THE CITY AUDITOR TO  
MAKE A CASH ADVANCE OF UP TO \$274,180.75 TO THE  
DELAWARE-BARKS TIF FUND FROM THE GENERAL FUND

WHEREAS, the City of Marion and Marion-Barks, LLC (the Developer) have entered into a tax increment financing (TIF) agreement, and

WHEREAS, Section 5 of said Agreement requires the reimbursement of \$274,180.75 to the Developer when the conditions contained in Section 5 are met, and

WHEREAS, the proceeds of the debt financing will not be received until June 27, 2007 and

WHEREAS, reimbursement to the Developer will be required prior to June 27, 2007, 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 \$274,180.75 to the Delaware-Barks TIF Fund from the General Fund.

Section 2. That upon receipt of the note proceeds, said cash advance shall be repaid to the General Fund. It is estimated that the funds will be received on June 27, 2007.

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: APR 25 2007

  
MAYOR

ATTEST:

  
CLERK



# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-21

Passed APR 23 2007

20

RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF MARION ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS DRIP INFRASTRUCTURE FUND FOR THE NORTHWEST INDUSTRIAL CONNECTOR WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO.

**BE IT RESOLVED** by the Council of the City of Marion, Marion County, Ohio and on behalf of the State of Ohio that:

Section 1. The City of Marion reasonably expects to receive a reimbursement for the Northwest Industrial Connector Project CP30J as set forth in Appendix A of the Project Agreement with the proceeds of bonds to be issued by the State of Ohio.

Section 2. The maximum aggregate principal amount of bonds, other than for costs of issuance, expected to be issued by the State of Ohio for reimbursement to the local subdivision is \$500,000.00.

Section 3. The Clerk of Council is hereby directed to file a copy of this Resolution with the City of Marion for inspection and examination of all persons interested therein and to deliver a copy of this Resolution to the Ohio Public Works Commission.

Section 4. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 5. This Resolution shall be in full force and effect from and immediately upon its adoption.

APPROVED: APR 25 2007

Jack L. Kelley  
MAYOR

ATTEST:

Cathy Chappis  
CLERK

Phil Reed  
PRESIDENT OF COUNCIL

# RECORD OF RESOLUTIONS

5133

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-22

Passed JUL 09 2007, 20  

**RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF SCOTT K. CRIDER 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 re-appointment of Scott K. Crider to said Board for a term of four (4) years to end December 31, 2010,

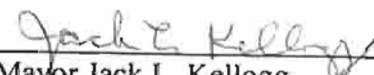
**BE IT RESOLVED** by the Council of the City of Marion, Marion County, Ohio:

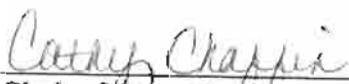
Section 1. That the appointment by Mayor Jack L. Kellogg of Scott K. Crider to serve a four (4) year term ending December 31, 2010 as a member of the Marion City Design Review Board be and is hereby confirmed and approved.

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  
Pro Tempore

APPROVED: JUL 10 2007

  
\_\_\_\_\_  
Mayor Jack L. Kellogg

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

5795

Dayton Legal Blank, Inc. Form No. 30043

Resolution No. 2007-23

Passed JUL 09 2007 20

## RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF THOMAS BRIAN CLARK 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 Thomas Brian Clark to said Airport Commission for a term of three (3) years, said term to begin June 1, 2007, and to end May 31, 2010.

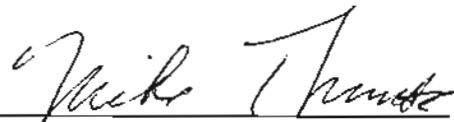
**BE IT RESOLVED** by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the re-appointment by Mayor Jack L. Kellogg of Thomas Brian Clark to the Airport Commission to wit:

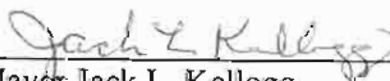
<u>MEMBER</u>	<u>TYPE OF MEMBER</u>	<u>TERM</u>
Thomas Brian Clark	Person employed or associated with a non-fixed base operator at the Marion Municipal Airport.	three (3) years, June 1, 2007 to May 31, 2010.

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  
Pro Tempore

APPROVED: JUL 10 2007

  
\_\_\_\_\_  
Mayor Jack L. Kellogg

  
\_\_\_\_\_  
Clerk of Council

Resolution No. 2007-24

Passed JUL 09 2007 20

**RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF DOUGLAS HOLBROOK 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 Douglas Holbrook to said Airport Commission for a term of three (3) years, said term to begin June 1, 2007, and to end May 31, 2010.

**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 Douglas Holbrook to the Airport Commission to wit:

<u>MEMBER</u>	<u>TYPE OF MEMBER</u>	<u>TERM</u>
Douglas Holbrook	Member of Marion Chamber of Commerce.	three (3) years, June 1, 2007 to May 31, 2010.

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  
 Pro Tempore

APPROVED: JUL 10 2007

  
 \_\_\_\_\_  
 Mayor Jack L. Kellogg

  
 \_\_\_\_\_  
 Clerk of Council

# RECORD OF RESOLUTIONS

31

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2007-25

Passed JUL 09 2007, 20  

RESOLUTION APPROVING AND ADOPTING THE BUDGET OF THE CITY OF MARION, OHIO FOR THE YEAR 2008, AND DECLARING AN EMERGENCY.

WHEREAS, the annual tax budget of the City of Marion for the year 2008 has been heretofore prepared, and

WHEREAS, public notice has been given by publication of a notice of public hearing thereon for 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 2008 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 be 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 18, 2007; 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.

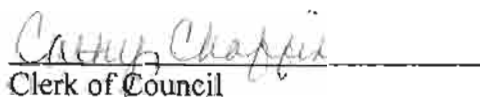


\_\_\_\_\_  
President of Council  
Pro Tempore

APPROVED: JUL 10 2007

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No.

2007-26, Page One

Passed

JUL 23 2007

20

RESOLUTION WHEREBY THE CITY OF MARION AGREES TO PROVIDE FIRE PROTECTION, POLICE PROTECTION, STREET MAINTENANCE AND ALL OTHER ORDINARY CITY SERVICES PROVIDED WITHIN THE BOUNDARIES OF THE CITY OF MARION, TO THE PROPOSED TERRITORY FOR ANNEXATION TO THE CITY, LOCATED SOUTH OF THE CITY OF MARION, CONTAINING 0.614 ACRES, AND DECLARING AN EMERGENCY.

WHEREAS, on the 16th day of July, 2007, Assistant Law Director Steven Chaffin, filed the application, as the agent for the City of Marion, Ohio, to annex the following described property to the City of Marion, Ohio:

Situated in the State of Ohio, County of Marion, Township of Marion, being part of Section 34, Township 5 South, Range 15 East, Congress Lands, being 0.614 acres out of Section 34, and being more particularly described as follows:

COMMENCING for reference at the intersection of the centerline of Barks Road (County Road 138) and the centerline of Delaware Avenue (State Route 423); Thence North 17°32'20" West with the centerline of said Delaware Avenue, a distance of 155.21± feet to a point of curvature; Thence continuing with the centerline of said Delaware Avenue and with a curve to the left having a radius of 12277.67 feet, a central angle of 00°23'50", a chord bearing of North 17°44'15" West, a chord distance of 85.12± feet, and an arc length of 85.12± feet to a point and being the TRUE POINT OF BEGINNING of the tract to be described; Thence continuing with said centerline and with a curve to the left having a radius of 12277.67 feet, a central angle of 01°21'10", a chord bearing of North 18°36'45" West, a chord distance of 289.87± feet, and an arc length of 289.88± feet to a point; Thence North 19°17'20" West continuing with said centerline, a distance of 600.92± feet to a point; Thence North 88°22'40" East crossing said Delaware Avenue, a distance of 31.48± feet to a point on the original easterly right of way line of said Delaware Avenue; Thence South 19°17'20" East with said original right of way line, a distance of 591.36± feet to a point; Thence continuing with the original right of way line and with a curve to the right having a radius of 12307.67 feet, a central angle of 01°23'42", a chord bearing of South 18°35'29" East, a chord distance of 299.66± feet, and an arc length of 299.67± feet to a point; Thence South 88°54'50" West crossing said Delaware Avenue, a distance of 31.34± feet to the true point of beginning containing 0.614 acres of land, more or less.

Basis of Bearing: Bearings are based on the centerline of Delaware Avenue being North 17°32'20" West of record in Official Record Volume 770, Page 324. The above description is based on and referenced to an exhibit prepared by Floyd Browne Group dated June 20, 2007, attached hereto and made a part hereof. All references are to records of the Recorder's Office, Marion County, Ohio.

Parcel ID Numbers: 124380002000; 124380002100; 124380002101; 124380002200; 124380002102; 124390000100; 124390000102; 124390000101; Said portion commonly referred to as Delaware Avenue South.

WHEREAS, the territory is adjacent and contiguous with the City of Marion, Ohio; and

WHEREAS, a Notice of Filing of Petition for Annexation was provided to the Clerk of the Marion City Council on July 16<sup>th</sup>, 2007, as required pursuant to Ohio Revised Code Section 709.023; and

WHEREAS, the provisions of Ohio Revised Code Section 709.023 (c) requires that the Municipal legislative authority shall, by Ordinance or Resolution, adopt a statement indicating what services, if any, the Municipal Corporation will provide to the territory proposed for annexation upon annexation;

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-26, Page Two

Passed

JUL 23 2007

20

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

Section 1. That the City of Marion will provide to the above described proposed territory for annexation, fire protection, police protection, street maintenance, emergency services, engineering services, sewer, sanitation, and all other ordinary and necessary city services provided within the boundaries of the City of Marion, and such services will be appropriate and sufficient to serve the territory sought to be annexed effectively immediately upon acceptance of the annexation but in any event no later than October 14, 2007.

Section 2. That the Council finds that the street known as Delaware Avenue is currently divided and with said annexation will not be divided or segmented by the boundary line as to create a road maintenance problem.

Section 3. That the territory to be annexed becomes subject to the Zoning of the City of Marion, Ohio and that the Marion City Zoning Code does permit the intended use. The Zoning of the Municipal Corporation shall be designated as C-2 (Community Shopping District) which is not an incompatible use currently permitted under the Marion Township Zoning and no buffer shall be required pursuant to Ohio Revised Code Section 709.23 (C).

Section 4. That City of Marion hereby consents to the proposed annexation filed by Steven Chaffin, Agent for the territory described above and further depicted in the attached Exhibit A.

Section 5. That this 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 further reason that it is necessary for the daily operation of the City; and for further reason that the Ohio Revised Code mandates that the City of Marion shall act within the allotted twenty (20) day time limit; 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.

APPROVED: JUL 25 2007

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CLERK OF COUNCIL



108 S. Elm St.  
P.O. Box 133

# PLAT of SURVEY

FOX SURVEYING COMPANY  
Prospect, Ohio 43342-0133  
foxsurveying@verizon.net

Ph. 740-494-2028  
Fax 740-494-2730



## PLAT of ANNEXATION

### PART OF THE SOUTHEAST QUARTER OF SECTION 16, T-5-S, R-15-E, MARION TWP., MARION COUNTY, STATE OF OHIO

Description of 1.262 Acres to be Annexed to the City of Marion

Being part of the Southeast Quarter of Section 16, Township 5 South, Range 15 East, and being the same 1.262 acre tract of land, now or formerly owned by Marion Shelter Program, Inc., O.R. 888, page 720, Marion Township, Marion County, State of Ohio and being more particularly described as follows:

Commencing at an existing railroad spike located at the intersection of the East Line of Section 16 and Lincoln Park Drive with the centerline of County Road 175 (Fairground Street) and South Line of Section 16;

Thence along the centerline of County Road 175 North 89 deg. 30 min. 00 sec. West for a distance of 1119.57 feet to a railroad spike found at the Southeast corner of hereinafter described 1.262 acre tract, said point being on the North Corporation Line of the City of Marion, and the point of beginning.

Thence continuing along the centerline of County Road 175 and South Section Line and North Corporation Line of the City of Marion North 89 deg. 30 min. 00 sec. West for a distance of 190.09 feet to a railroad spike found at the Southwest corner of said 1.262 acre tract;

Thence North 00 deg. 29 min. 00 sec. West for a distance of 550.00 feet to a set 6 inch dia. concrete monument with a 1 inch dia. iron pin in the center over top of an existing 5/8 inch dia. iron pin at the Northwest corner of said 1.262 acre tract (passing over a set 6 inch dia. concrete monument with a 1 inch dia. iron pin in the center over top of an existing 5/8 inch dia. iron pin at a distance of 20.00 feet);

Thence South 89 deg. 30 min. 00 sec. East for a distance of 100.00 feet to a set 6 inch dia. concrete monument with a 1 inch dia. iron pin in the center over top of an existing 5/8 inch dia. iron pin at the Northeast corner of said 1.262 acre tract;

Thence South 00 deg. 29 min. 00 sec. East for a distance of 550.00 feet to a railroad spike found on the centerline of County Road 175 and South Line of Section 16 and North Corporation Line of the City of Marion (passing over a set 6 inch dia. concrete monument with a 1 inch dia. iron pin in the center over top of an existing 5/8 inch dia. iron pin at a distance of 330.00 feet); and the place of beginning.

Containing 1.262 acres, more or less, and subject to legal highways, easements, restrictions and agreements of record. This description prepared from a survey performed by Steven A. Fox, Registered Professional Surveyor 7000, and dated March 4, 2006.

Prior Deed, O. R. 888, page 720  
Basis of bearing, Survey by Norris Surveys, dated 10/07/1989, certificate C.R. 175, North 89 deg. 30 min. 00 sec. West

*Steven A. Fox*  
Steven A. Fox, P.S. 7000

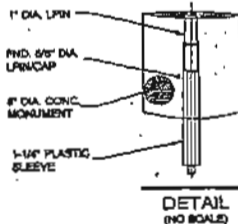
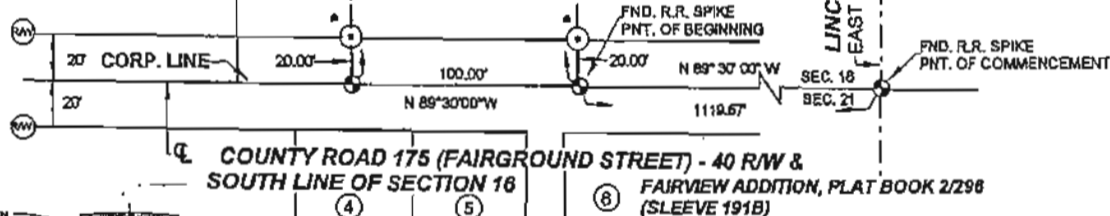
March 4, 2006  
Date of Survey  
Job No. 0696



ADJOINERS

1. MARION SHELTER PROGRAM, INC., O.R. 888/720
2. JOHN T. WOLFENDEN, ET AL, O.R. 848/374
3. FRONTIER VISION OPERATING PART., 8.1 AC., O.R. 459/850
4. GEORGE H. HUNTER, D.V. 545/718
5. GEORGE H. HUNTER, O.R. 120/486
6. NANCY J. & KEVIN S. GOULD, O.R. 791/8

\* SET 6" DIA. CONC. MONUMENT WITH 1" DIA. IRON PIN IN CENTER OVER TOP OF FOUND 5/8" DIA. IRON PIN (SEE DETAIL BELOW)



THIS SURVEY WAS PERFORMED AT THE REQUEST OF : RONALD CRAMER/ATTY

REFERENCE MATERIALS

- ① SURVEY BY NORRIS SURVEYS-DATED 10-07-88
  - ②
  - ③
  - ④
  - ⑤
- Official Record 888 Page 720  
Prior Deed Volume \_\_\_\_\_ Page \_\_\_\_\_  
Basis of Bearing REF. NO. 1 CL CO. 175  
N 89° 30' 00" W

LEGEND

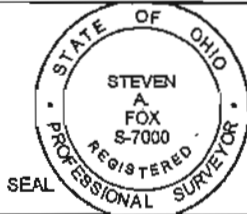
- Scale 1" = 80 feet
- ⊕ R.R. spike -FND.
  - Iron pin / pipe found -5/8" DIA.
  - ⊗ Survey nail
  - Stone found
  - ⊙ State hwy RW monument found
  - 5/8" dia. dia. Iron pin set with a plastic cap stamped "Fox P.S. 7000"
- Property to be annexed

CERTIFICATION

I hereby certify that this plat is a true and correct representation of a survey performed under my responsible direction and supervision and is correct to the best of my knowledge.

*Steven A. Fox*  
Steven A. Fox, Reg. P.S. No. 7000

03-04-2006  
Date of Survey





# RECORD OF RESOLUTIONS

Dayton Legal Blanks, Inc., Form No. 30045

Resolution No.

2007-27, Page One

Passed

JUL 23 2007

20

RESOLUTION WHEREBY THE CITY OF MARION AGREES TO PROVIDE FIRE PROTECTION, POLICE PROTECTION, STREET MAINTENANCE AND ALL OTHER ORDINARY CITY SERVICES PROVIDED WITHIN THE BOUNDARIES OF THE CITY OF MARION, TO THE PROPOSED TERRITORY FOR ANNEXATION TO THE CITY, LOCATED NORTH OF THE CITY OF MARION, CONTAINING 1.262 ACRES, AND DECLARING AN EMERGENCY.

WHEREAS, on the 16th day of July, 2007, Mark Lovett filed the application, as the agent for Marion Shelter Program Inc., to annex the following described property to the City of Marion, Ohio:

Situated in the Township of Marion, County of Marion, State of Ohio, and being bounded and described as follows:

Being part of the Southeast Quarter of Section 16, Township 5 South, Range 15 East, Marion Township, Marion County, state of Ohio, and being more particularly described as follows:

Commencing at a railroad spike set on the Southeast Corner of the above said Section 16; thence along the South Line of Section 16, also being the Centerline of County Road 175 (West Fairground Street), North 89 degrees 30 minutes 00 seconds West for a distance of 1119.57 feet to a railroad spike set and the POINT OF BEGINNING. Thence continuing along the South Line of Section 16, also being the Centerline of County Road 175 (West Fairground Street), North 89 degrees 30 minutes 00 seconds West for a distance of 100.00 feet to a railroad spike set; thence North 00 degrees 29 minutes 00 seconds West for a distance of 550.00 feet to a 518 inch dia. iron pin set (passing over a 518 inch dia. Iron pin set for reference at 20.00 feet); thence South 89 degrees 30 minutes 00 seconds East for a distance of 100.00 feet to a 518 inch dia. iron pin set; thence South 00 degrees 29 minutes 00 seconds East for a distance of 550.00 feet to a railroad spike set on the South Line of Section 16, also being the Centerline of County Road 175 (West Fairground Street), and the POINT OF BEGINNING (passing over a 5/8 inch dia. iron pin set for reference at 530.00 feet). Containing 1.262 acres, more or less, and subject to legal highways, easements, restrictions and agreements of record.

Parcel ID 16-0050001900 also known as 326 W. Fairground St., Marion, Ohio 43302

WHEREAS, the territory is adjacent and contiguous with the City of Marion, Ohio; and

WHEREAS, a Notice of Filing of Petition for Annexation was provided to the Clerk of the Marion City Council on July 16<sup>th</sup>, 2007, as required pursuant to Ohio Revised Code Section 709.023; and

WHEREAS, the provisions of Ohio Revised Code Section 709.023 (c) requires that the Municipal legislative authority shall, by Ordinance or Resolution, adopt a statement indicating what services, if any, the Municipal Corporation will provide to the territory proposed for annexation upon annexation;

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

Section 1. That the City of Marion will provide to the above described proposed territory for annexation, fire protection, police protection, street maintenance, emergency services, engineering services, sewer, sanitation, and all other ordinary and necessary city services provided within the boundaries of the City of Marion, and such services will be appropriate and sufficient to serve the territory sought to be annexed effectively immediately upon acceptance of the annexation but in any event no later than October 14, 2007.

Resolution No. 2007-27, Page Two

Passed JUL 23 2007

20

Section 2. That the Council finds that the street known as West Fairground Street will not be divided or segmented by the boundary line as to create a road maintenance problem.

Section 3. That the territory to be annexed becomes subject to the Zoning of the City of Marion, Ohio and that the Marion City Zoning Code does permit the intended use. The Zoning of the Municipal Corporation shall be designated as O-I-A (Office - Institutional - Apartment District) which is not an incompatible use currently permitted under the Marion Township Zoning and no buffer shall be required pursuant to Ohio Revised Code Section 709.23 (C).

Section 4. That City of Marion hereby consents to the proposed annexation filed by Marion Shelter Program Inc. for the territory described above and further depicted in the attached Exhibit A.

Section 5. That this 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 further reason that it is necessary for the daily operation of the City; and for further reason that the Ohio Revised Code mandates that the City of Marion shall act within the allotted twenty (20) day time limit; 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.

APPROVED: JUL 25 2007

Phil Reid  
PRESIDENT OF COUNCIL

Jack L. Kellogg  
MAYOR

ATTEST:

Cathy Chappin  
CLERK OF COUNCIL

# RECORD OF RESOLUTIONS

0175

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-28

Passed AUG 13 2007

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## RESOLUTION ESTABLISHING THE SENIOR CENTER HOMEMAKER FUND

WHEREAS, the Marion Senior Center has applied for and received a \$4,000.00 grant from the Marion County Council on Aging to assist seniors that are shut-in, vision impaired or otherwise disabled and unable to leave their home for the purpose of shopping for groceries, picking up prescriptions, and doing other shopping, and

WHEREAS, it is necessary to establish a fund to document these activities, 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 Senior Center Homemaker Fund is hereby established; its fund number shall be 206.

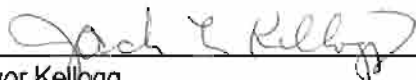
SECTION 2. That the Mayor shall administer this fund.

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: **AUG 14 2007**

  
\_\_\_\_\_  
Mayor Kellogg

Attest;

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

0177

Dayton Legal Bank, Inc. Form No. 30045

Resolution No. 2007-29

Passed AUG 13 2007, 20

## RESOLUTION ESTABLISHING THE SENIOR CENTER TRANSPORTATION FUND

WHEREAS, the Marion Senior Center has applied for and received a \$12,000.00 grant from the Marion County Council on Aging to provide transportation to seniors within Marion County to get them to their requested destination, and

WHEREAS, it is necessary to establish a fund to document these activities, 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 Senior Center Transportation Fund is hereby established; its fund number shall be 202.

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: AUG 14 2007

  
\_\_\_\_\_  
Mayor Kellogg

Attest;

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

6173

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-30

Passed AUG 13 2007, 20

## RESOLUTION ESTABLISHING THE MARION DRUG/GUN REDUCTION FUND

WHEREAS, the Marion City Police Department has applied for and received a \$50,000.00 grant from the Office of Criminal Justice Services to increase the amount of drugs and guns seized in Marion County and to convey the risks and consequences of drug use to our high school students, and

WHEREAS, it is necessary to establish a fund to document these activities, 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 Marion Drug/Gun Reduction Fund is hereby established; its fund number shall be 223.

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: **AUG 14 2007**

  
\_\_\_\_\_  
Mayor Kellogg

Attest;

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

0151

Clayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-31

Passed AUG 13 2007

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RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$2,000.00 TO THE SENIOR CENTER HOMEMAKER FUND FROM THE GENERAL FUND.

WHEREAS, the City of Marion has been awarded a Homemaker Grant by the Marion County Council on Aging, Inc. and

WHEREAS, said grant is a reimbursing grant, and

WHEREAS, it is necessary to have operating funds available, 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 \$2,000.00 to the Senior Center Homemaker Fund from the General Fund.

Section 2. That upon receipt of the final grant funds, said cash advances shall be repaid to the General Fund. It is estimated that the funds will be received in January 2008.

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



\_\_\_\_\_  
President of Council

Approved: AUG 14 2007



\_\_\_\_\_  
Mayor

Attest;



\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

0153

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2007-32

Passed AUG 13 2007

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RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$6,000.00 TO THE SENIOR CENTER TRANSPORTATION FUND FROM THE GENERAL FUND.

WHEREAS, the City of Marion has been awarded a Transportation Grant by the Marion County Council on Aging, Inc. and

WHEREAS, said grant is a reimbursing grant, and

WHEREAS, it is necessary to have operating funds available, 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 \$6,000.00 to the Senior Center Transportation Fund from the General Fund.

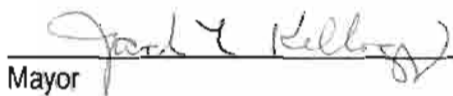
Section 2. That upon receipt of the final grant funds, said cash advances shall be repaid to the General Fund. It is estimated that the funds will be received in January 2008.

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



\_\_\_\_\_  
President of Council

Approved: AUG 14 2007



\_\_\_\_\_  
Mayor

Attest;



\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

3165

Dayton Legal Blank, Inc. Form No. 30049

Resolution No. 2007-33

Passed AUG 13 2007, 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$50,000.00 TO THE MARION DRUG/GUN REDUCTION FUND FROM THE GENERAL FUND.

WHEREAS, the City of Marion has been awarded a Law Enforcement Grant by the Office of Criminal Justice Services, and

WHEREAS, said grant is a reimbursing grant, and

WHEREAS, it is necessary to have operating funds available, 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 \$50,000.00 to the Marion Drug/Gun Reduction Fund from the General Fund.

Section 2. That upon receipt of the final grant funds, said cash advances shall be repaid to the General Fund. It is estimated that the funds will be received in January 2008.

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



President of Council

Approved: AUG 14 2007

  
Mayor

Attest;

  
Clerk of Council



# RECORD OF RESOLUTIONS

0187

Dayton Legal Bank, Inc. Form No. 30049

Resolution No. 2007-34

Passed AUG 13 2007 . 20

## RESOLUTION STATING THE COUNCIL'S SUPPORT AND ENCOURAGEMENT OF THE FIRST CHURCH OF THE NAZARENE'S UPCOMING RESTORATION WEEKEND.

WHEREAS, the Mayor and Law Director have advised they have been working with Pastor Riley Powell of Marion's First Church of the Nazarene in the planning and preparation for the Church congregation's upcoming Restoration Weekend scheduled for August 25, 2007, and

WHEREAS, the Administration and Council continue the excellent working relationship especially when it comes to issues of community wellness, and

WHEREAS, the Council is extremely pleased to hear of the First Church of the Nazarene's Restoration Weekend aiding and assisting those in need,

WHEREAS, 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 express its strong support and encouragement of Marion's First Church of the Nazarene's upcoming Restoration Weekend scheduled for August 25, 2007. It is expected that over 700 of the aforementioned Church's congregation will assist and aid persons in our community who are in need of various types of maintenance, ramps, and other functional needs who are not able to fulfill their own needs. The Council commends the efforts of the community minded congregation and offers this Resolution in support of their fine endeavor.

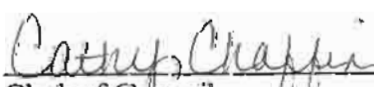
Section 2. That this resolution shall become effective on the earliest date allowed by law.

  
\_\_\_\_\_  
President of Council

APPROVED: **AUG 14 2007**

  
\_\_\_\_\_  
Mayor

Attest;

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No.

2007-35

Passed

AUG 27 2007

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## RESOLUTION CONFIRMING THE APPOINTMENT, BY THE MAYOR, OF THE MEMBERS OF THE CITY OF MARION BOARD OF HEALTH LICENSE ADVISORY COUNCIL AND DECLARING AN EMERGENCY

WHEREAS, Amended Substitute Senate Bill 136 of the 124<sup>th</sup> General Assembly enacted into law in 2001 a License Advisory Council under O.R.C. 3709.41 and at its meeting on May 28, 2002 Marion City Council approved the creation of and initial members appointed to such License Advisory Council, and

WHEREAS, the License Advisory Council by statute is required to have certain representatives upon it from designated categories of entities licensed by the Board of Health, and

WHEREAS, the Mayor, with the assistance of the Health Commissioner and the Director of Public Health, has identified certain residents of the City of Marion to serve as members of the Health Board's License Advisory Council for the positions with expiring terms.

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

Section 1. Pursuant to the directive as contained within O.R.C. 3709.41, the Mayor hereby appoints the residents of the City of Marion, Ohio as are listed upon Exhibit A, attached hereto and made a part hereof, to serve as members of the Marion City Board of Health License Advisory Council for the respective terms as are set forth on said Exhibit.

Section 2. That this resolution is hereby declared to be an emergency measure necessary for the immediate protection of economic and health related concerns for the citizens of the City of Marion and the inhabitants thereof and for the further reason that it is necessary due to the need to have the License Advisory Council in place without further delay, the resolution shall take effect and be enforced immediately upon its' 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.

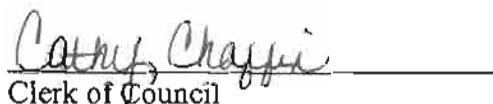


President of Council

APPROVED AUG 28 2007



Mayor



Clerk of Council

# RECORD OF RESOLUTIONS

5191

Dayton Legal Bank, Inc., Form No. 30645

Resolution No. 2007-36

Passed AUG 27 2007 20

## 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 effect on the earliest date allowed by law.

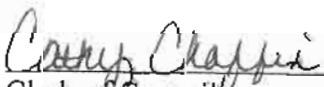


\_\_\_\_\_  
President of Council

APPROVED: **AUG 28 2007**

  
\_\_\_\_\_  
Mayor

Attest;

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

5795

Clayton Legal Blank, Inc. Form No. 30048

Resolution No. 2007-37, Page One

Passed AUG 27 2007

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**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR FY 2008 AND FY 2009 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 project(s), 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 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. The Mayor is authorized to execute and file with such applications and assurance or any other document 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.

1194  
**RECORD OF RESOLUTIONS**

Daylor Legal Blank, Inc. Form No. 30045

Resolution No. 2007-37, Page Two

Passed AUG 27 2007

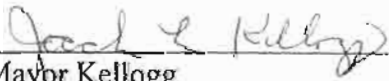
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SECTION 6. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Marion and the inhabitants thereof, and as such shall take effect and be in 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.

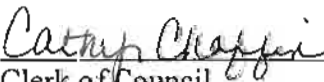
The undersigned duly qualified and acting Mayor of the City of Marion certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the City Council held on AUG 27 2007.

Approved: AUG 28 2007

  
\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Mayor Kellogg

Attest;

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

0198

Dayton Legal Blank, Inc. Form No. 30046

Resolution No. 2007-38, Page One

Passed AUG 27 2007

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RESOLUTION WHEREBY THE CITY OF MARION AGREES TO PROVIDE FIRE PROTECTION, POLICE PROTECTION, STREET MAINTENANCE AND ALL OTHER ORDINARY CITY SERVICES PROVIDED WITHIN THE BOUNDARIES OF THE CITY OF MARION, TO THE PROPOSED TERRITORY FOR ANNEXATION TO THE CITY, LOCATED NORTH OF THE CITY OF MARION, CONTAINING 6.370 ACRES, AND DECLARING AN EMERGENCY.

WHEREAS, on the 15th day of August, 2007, Ted McKinniss filed the application, as the agent for Citicasters Company, to annex the following described property to the City of Marion, Ohio:

Situated in the Township of Marion, County of Marion, State of Ohio, and being bounded and described as follows:

Being part of the Northwest Quarter of Section 15, Township 5 South, Range 15 East, Marion Township, Marion County, State of Ohio; Being a tract now or formerly owned by Citicasters Company (O.R. 387 Pg. 455); and being more particularly described as follows;

Beginning at an existing railroad spike located at the intersection of the centerline of State Routes 4 and 423 (North Main Street) (now being 60 feet wide) with the centerline of County Road 162 (also being the North Line of Section 15 and the South Corporation Line of the City of Marion) (now being 60 feet wide); thence along said centerline of County Road 162 S 890 34' 00" E (for basis of bearing, see Survey Volume 5 Pg. 496, Marion County Engineer's Office) for a distance of 612.65 feet to a railroad spike set on Grantor's East Line; thence along Grantor's East Line S 00 04' 40"W for a distance of 470.48 feet to a 1" dia. iron pin set on the North Line of Marion Heights Addition (P.B. 3 Pg. 234) (passing over a 1" dia. iron pin set at 30.00 feet); thence along said North Line N 890 30' 30" W for a distance of 567.76 feet to a railroad spike set on the centerline of State Routes 4 and 423 (passing over a 1" dia. iron pin set at 532.58 feet and an existing iron pipe at 537.60 feet); thence along said centerline N 50 22' 35"W for a distance of 472.31 feet to an existing railroad spike on the centerline of County Road 162 and the point of beginning.

Containing 6.370 acres more or less and being subject to legal highways, easements, restrictions, and agreements of record. This description prepared from a survey performed by Thomas 1. Boblenz, Registered Surveyor 5719, and dated February 27, 2007. All 5/8" dia. Iron pins set have a plastic identity cap with the following caption, "TLB & Associates."

Parcel ID 16-003000.1700 also known as 1330 North Main Street, Marion, Ohio 43302

WHEREAS, the territory is adjacent and contiguous with the City of Marion, Ohio; and

WHEREAS, a Notice of Filing of Petition for Annexation was provided to the Clerk of the Marion City Council on August 15<sup>th</sup>, 2007, as required pursuant to Ohio Revised Code Section 709.023; and

WHEREAS, the provisions of Ohio Revised Code Section 709.023 (c) requires that the Municipal legislative authority shall, by Ordinance or Resolution, adopt a statement indicating what services, if any, the Municipal Corporation will provide to the territory proposed for annexation upon annexation;

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

Section 1. That the City of Marion will provide to the above described proposed territory for annexation, fire protection, police protection, street maintenance, emergency services, engineering services, sewer, sanitation, and all

Resolution No. 2007-38, Page TwoPassed AUG 27 2007, 20

other ordinary and necessary city services provided within the boundaries of the City of Marion, and such services will be appropriate and sufficient to serve the territory sought to be annexed effectively immediately upon acceptance of the annexation but in any event no later than November 1, 2007.

Section 2. That the Council finds that the street known as North Main Street and Marion Williamsport Road will not be divided or segmented by the boundary line as to create a road maintenance problem.

Section 3. That the territory to be annexed becomes subject to the Zoning of the City of Marion, Ohio and that the Marion City Zoning Code does permit the intended use. The Zoning of the Municipal Corporation shall be designated as C-2 (Community Shopping District) which is not an incompatible use currently permitted under the Marion Township Zoning and no buffer shall be required pursuant to Ohio Revised Code Section 709.23 (C).

Section 4. That City of Marion hereby consents to the proposed annexation filed by Citicasters Company for the territory described above and further depicted in the attached Exhibit A.

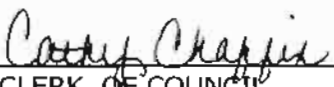
Section 5. That this resolution is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for the further reason that it is necessary for the daily operation of the City; and for further reason that the Ohio Revised Code mandates that the City of Marion shall act within the allotted twenty (20) day time limit; 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.

APPROVED: AUG 28 2007

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CLERK OF COUNCIL

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-39

Passed SEP 10 2007 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, 2008, 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		\$1,254,006.00			
Police Relief		113,444.00			
Firemen's Fund		113,444.00			
Marion City SD D12			3.60	.30	.30
Marion City Elgin SD D13			2.60	.30	.30
Marion City Pleasant SD D14			.90	.30	.30
Marion City River Valley SD D15			2.70	.30	.30
Marion City Ridgedale SD D41			1.40	.30	.30

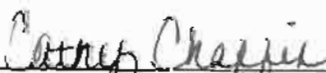
BE IT FURTHER RESOLVED that the Clerk of this Council be and she is hereby directed to certify a copy of this resolution to the County Auditor of said County.

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

APPROVED: SEP 11 2007

  
\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk of Council



# RECORD OF RESOLUTIONS

3107

Dayton Legal Signs, Inc., Form No. 30045

Resolution No. 2007-40

Passed SEP 10 2007, 20

## RESOLUTION ESTABLISHING THE PUBLIC HEALTH INFRASTRUCTURE GRANT FUND.

WHEREAS, it is necessary to establish a fund to document the activities of the Public Health Infrastructure Grant, therefore

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


SECTION 1. That a special revenue fund known as the Public Health Infrastructure Grant Fund is hereby established; its fund number shall be 248.

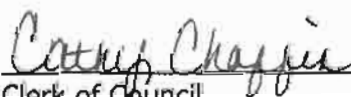
SECTION 2. that the Marion City Board of Health shall administer this fund.

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: SEP 11 2007

  
\_\_\_\_\_  
Mayor Kellogg

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

Dayton Legal Draft, Inc. Form No. 20045

Resolution No. 2007-41, Page One

Passed SEP 10 2007

20

RESOLUTION OF THE MARION CITY COUNCIL REQUESTING THAT THE OHIO GENERAL ASSEMBLY AND THE OHIO CONGRESSIONAL DELEGATION CONTINUE TO SUPPORT THE FAMILIES OF OHIO, TO SUPPORT STRONG TRADE POLICY REGARDING INDUSTRY SUBSIDIZATION AND CURRENCY MANIPULATION BY FOREIGN GOVERNMENTS, AND TO TAKE SWIFT AND RESPONSIVE ACTIONS TO HALT OTHER UNLAWFUL BARRIERS TO FAIR AND FREE TRADE.

Whereas, the Ohio manufacturing sector, as well as suppliers and ancillary businesses, have lost over 295,000 jobs since 1997 due to unfair trade practices, which includes currency manipulation and to other unscrupulous measures; and

Whereas, \$136 billion in wages are expected to shift from the U.S. to low-cost nations, many of which have no environmental or worker protections, by 2015; and

Whereas, the shift of clean, regulated American industry to nations with little to no environmental controls leads to an increase in global pollutants like mercury and greenhouse gases; and

Whereas, the United States trade deficit for 2007 alone is more than \$483 billion, averaging about \$59 billion per month; and

Whereas, Between 1989 and 2003, the U.S. trade deficit with China alone displaced production supporting 1.5 million jobs, according to the Economic Policy Institute, 75 percent of which were manufacturing jobs paying above average wages; and

Whereas, Nucor Steel Marion, Inc. generates approximately \$150 million in sales and employs over 280 Ohioans and is an exemplary corporate citizen; and

Whereas, Nucor Steel Marion, Inc. has been working diligently to help our state retain important manufacturing jobs; and

Whereas, Nucor Steel Marion, Inc. is hosting a Town Hall meeting on September 27 as a continuing effort to fight to preserve American jobs and to educate the public about the importance of manufacturing to Ohio's economy, as well as issues concerning our state's industries, workers, and families; and

Whereas, manufacturing employs more than 6842 people in Marion County, accounting for 24.5% of the jobs in the county.

Now, Therefore, Be it resolved by the Marion City Council:

Section 1. That the City of Marion, on behalf of Ohio's citizens and business, by this resolution, encourage Ohio's federal and state elected officials to stake a strong position on behalf of fair trade. Free trade can only succeed if the rule of law is diligently applied; and

Section 2. Be it Further Resolved that the members of the Marion City Council commend Nucor Steel Marion, Inc. for its service to Ohio communities, for providing the highly skilled jobs important to Ohio families, and for striving to bring awareness of critical issues facing Ohio's manufacturing employees.

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

Resolution No. 2007-41, Page Two

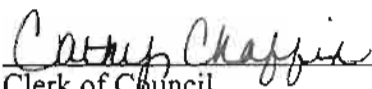
Passed SEP 10 2007, 20  

  
\_\_\_\_\_  
President of Council

APPROVED: SEP 11 2007

  
\_\_\_\_\_  
Mayor Jack L. Kellogg

Attest;

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

0206

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2007-42

Passed SEP 24 2007

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## RESOLUTION HONORING MAYOR JACK L. KELLOGG FOR HIS YEARS OF DEDICATED PUBLIC SERVICE

WHEREAS, the Council is aware the end of this calendar year will also bring to an end the public service career of Mayor Jack L. Kellogg, and

WHEREAS, the Council collectively and unanimously finds it appropriate to recognize Jack L. Kellogg's 30 plus years of serving the citizens of the City of Marion first as a member of the City Council and for the past 16 years as Marion's Mayor.

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

Section 1. The Council collectively and unanimously hereby honors and recognizes Jack L. Kellogg's 30 plus years of serving the citizens of the City of Marion first as a member of the City Council and for the past 16 as Marion's Mayor. The Council for the City of Marion thanks you, Jack L. Kellogg, for your service to the people.

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



\_\_\_\_\_  
President of Council

APPROVED: SEP 25 2007

  
\_\_\_\_\_  
Mayor/Jack L. Kellogg

Attest:

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

0205

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2007-43

Passed SEP 24 2007

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## RESOLUTION ESTABLISHING THE POLICE CONTINUING TRAINING FUND

WHEREAS, Senate Bill 281 was signed into law January 4, 2007, and

WHEREAS, said Bill requires up to twenty-four (24) hours of mandatory continuing professional training for Ohio peace officers each calendar year, and

WHEREAS, The Ohio Peace Officer Training Commission will reimburse the City of Marion \$20.00 per hour, per officer, per year for hours spent on subject matter mandated by the Commission, and

WHEREAS, it is necessary to establish a fund to document these activities, 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 Police Continuing Training Fund is hereby established; its fund number shall be 216.

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: SEP 25 2007

  
\_\_\_\_\_  
Mayor Kellogg

Attest;

  
\_\_\_\_\_  
Clerk of Council

Dayton Legal Blank, Inc. Form No. 90045

*Resolution No.* \_\_\_\_\_

*Passed* \_\_\_\_\_, 20\_\_\_\_



# RECORD OF RESOLUTIONS

020

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-44

Passed OCT 22 2007

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 2008 Street Resurfacing Project (Project 08-1R) and the Franconia Avenue Sewer Replacement Project (Project 08-1S), and

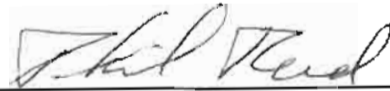
**WHEREAS**, the infrastructure improvements herein above described are considered to be a priority need for the community and are qualified projects under the OPWC programs,

**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 State Issue 1 (formerly know as 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 22 2007

  
Mayor

Attest:

  
Clerk of Council

Dayton Legal Blank, Inc. Form No. 20045

*Resolution No.* \_\_\_\_\_

*Passed* \_\_\_\_\_, 20\_\_\_\_





# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-45

Passed NOV 13 2007 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE CASH ADVANCES OF UP TO \$4,500.00 TO THE PUBLIC HEALTH INFRASTRUCTURE FUND FROM THE GENERAL FUND.

WHEREAS, the City of Marion has been awarded a Public Health Infrastructure Fund from the General Fund, and

WHEREAS, said grant is a reimbursing grant, and

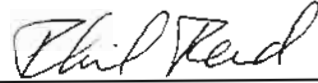
WHEREAS, it is necessary to have operating funds available, therefore

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 \$4,500.00 to the Public Health Infrastructure Fund from the General Fund.

Section 2. That upon receipt of the final grant funds, said cash advances shall be repaid to the General Fund. It is estimated that the funds will be received in November 2008.

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



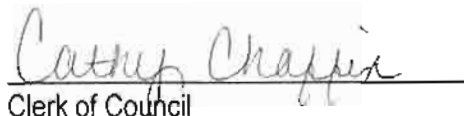
President of Council

Approved: NOV 14 2007



Mayor

Attest;



Clerk of Council

# RECORD OF RESOLUTIONS

Qayton Legal Blank, Inc. Form No. 30045

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_, 20\_\_\_\_



# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No. 2007-46

Passed NOV 26 2007 . 20

RESOLUTION DECLARING THE OFFICIAL INTENT AND REASONABLE EXPECTATION OF THE CITY OF MARION ON BEHALF OF THE STATE OF OHIO (THE BORROWER) TO REIMBURSE ITS SANITARY SEWER IMPROVEMENT AND STORM SEWER IMPROVEMENT FUNDS FOR THE OAKGROVE & WATERLOO STREET SEWER IMPROVEMENTS PROJECT CP05K WITH THE PROCEEDS OF TAX EXEMPT DEBT OF THE STATE OF OHIO.

**BE IT RESOLVED** by the Council of the City of Marion, Marion County, Ohio and on behalf of the State of Ohio that:

Section 1. The City of Marion reasonably expects to receive a reimbursement for the Oak Grove & Waterloo Street Sewer Improvements Project CP05K as set forth in Appendix A of the Project Agreement with the proceeds of bonds to be issued by the State of Ohio.

Section 2. The maximum aggregate principal amount of bonds, other than for the costs of issuance, expected to be issued by the State of Ohio for reimbursement to the local subdivision is \$211,153.00.

Section 3. The Clerk of Council is hereby directed to file a copy of this Resolution with the City of Marion for inspection and examination of all persons interested therein and to deliver a copy of this Resolution to the Ohio Public Works Commission.

Section 4. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

Section 5. This Resolution shall be in force and effect from and immediately upon its adoption.

  
\_\_\_\_\_  
President of Council

APPROVED: **NOV 27 2007**

  
\_\_\_\_\_  
Mayor

Attest;

  
\_\_\_\_\_  
Clerk of Council

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

*Resolution No.* \_\_\_\_\_

*Passed* \_\_\_\_\_, 20\_\_\_\_

