

TempRES2021-14

RESOLUTION OF THE COUNCIL OF THE CITY OF MARION, OHIO EXPRESSING ITS FINDINGS AND DETERMINATIONS IN REGARD TO THE CITY AUDITOR'S FAILURE TO COMPLY WITH THE CITY OF MARION, OHIO'S PERSONNEL AND JOB CLASSIFICATION PLAN, AS ADOPTED AND COMMONLY REFERRED TO AS THE YARGER REPORT, FINDING SAID FAILURE TO COMPLY WITH ADOPTED LAW HAS RESULTED IN SIGNIFICANT RISK TO THE FINANCIAL WELL BEING OF THE CITY AND REQUESTING THE AUDITOR OF THE STATE OF OHIO INVESTIGATE AND TAKE ALL APPROPRIATE STEPS AS PROVIDED BY OHIO LAW AND DECLARING AN EMERGENCY

WHEREAS, the City Finance Committee has investigated, heard comment and deliberated the matter of the City of Marion, Ohio Auditor reckless or intentional disregard of City of Marion, Ohio adopted law, more particularly its' Job Classification Plan commonly referred to as the Yarger Report, and

WHEREAS, the Committee finds the aforementioned failure to abide by the laws of the City of Marion, Ohio has placed the financial well being of the City risk and therefore recommends the Council for the City of Marion, Ohio adopt this Resolution in order to ensure the fiscal well being of the City of Marion, Ohio is preserved and maintained.

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

Section 1. The Council has received the Report of the Finance Committee as to its investigation and determinations in the matter of the City of Marion, Ohio Auditor either recklessly or intentionally disregarding City of Marion, Ohio adopted law. More particularly, its Job Classification Plan commonly referred to as the Yarger Report. And, given the information before the Council at this time it is the determination and finding the City Auditor either recklessly or intentionally (either violating City Code) has disregarded City of Marion adopted law. This disregard resulting in the City being victim of recent fraud and loss. Further, it is found, the Auditor subsequently thereto again disregarded adopt law by failing to comply with minimum hiring requirements as to the City's Internal/Investment Auditor last amended in Ordinance 2007-109 (see attached job description) continuing to place the City of Marion's financial well being at risk.

Section 2. Given the finding referenced above in Section 1., the Council for the City of Marion directs the Clerk forward this adopted Resolution and any other materials relevant hereto to the State of Ohio Auditor and request that he investigate and take any and all actions he deems necessary to assist the Council in protecting the financial well being of the City .

Section 3. This Resolution is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and its' inhabitants thereof: Due to the real and present need to act without delay to preserve the financial well being of the City of Marion, Ohio; 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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Todd Schneider

President of Council

APPROVED:

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Mayor Scott Schertzer

ATTEST:

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Tarina R. Rose

Clerk of Council