

Resolution No. 2008-1 Passed **FEB 11 2008**, 20

RESOLUTION ESTABLISHING THE SMOKEFREE OHIO FUND

WHEREAS, the Marion City Board of Health has been awarded a SmokeFree Ohio Workplace Compliance Assistance Mini-Grant, and

WHEREAS, it is necessary to establish a fund to document the program 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 SmokeFree Ohio fund is hereby established; its fund number shall be 249.

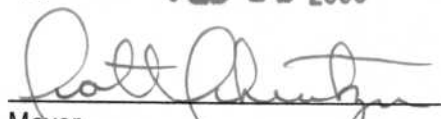
Section 2. That the Marion City Health Department shall administer this fund.

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: **FEB 12 2008**



Mayor

ATTEST:



Clerk of Council

Resolution No. 2008-11

Passed MAY 27 2008, 20

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR THE EMPLOYEE FREE CHOICE ACT PROPOSED BY THE MID-OHIO AFL-CIO LABOR COUNCIL

WHEREAS, in 1935 the United States established, by law, that workers must be free to form unions; and

WHEREAS, the freedom to form or join a union is internationally recognized by the 1948 Universal Declaration of Human Rights as a fundamental human right; and

WHEREAS, the free choice to join with other and bargain for better wages and benefits is essential to economic opportunity and good living standards; and

WHEREAS, states in which more people are union members are states with higher wages, better benefits and better schools; and

WHEREAS, unions help raise workers' pay and narrow the income gap for minorities and women, by increasing median weekly earnings by 31 percent for union women and workers, 36 percent for African American workers, 46 percent for Latino workers and 8 percent for Asian American workers; and

WHEREAS, also are more likely to have health coverage and guaranteed defined-benefit pension (80 percent of private-sector union workers have employer-provided health insurance, compared with only 49 percent of nonunion workers, and 68 percent of union workers have defined-benefit pension plans, compared with 14 percent of nonunion workers); and

WHEREAS, workers across the nation are routinely denied the freedom to form unions and bargain for a better life, with 25 percent of private sector employers in organizing campaigns illegally firing at least one worker for union activity; and

WHEREAS, 77 percent of the public believes it is important to have strong laws protecting the freedom of workers to make their own decision about having a union, and 60 percent of workers would join a union if they had the chance, and

WHEREAS, employers often refuse to bargain fairly after workers from a union by dragging out first contract bargaining for up to two year in 45 percent of successful campaigns; and

WHEREAS, each year millions of dollars are spent to frustrate workers' efforts to form unions and 92 percent of private-sector employers force employees to attend mandatory anti-union meetings; and

WHEREAS, when the right of workers to form a union is violated, wages fall, race and gender pay gasps widen, workplace discrimination increases and job safety standards disappear; and

WHEREAS, a workers fundamental right to choose a union free from coercion and intimidation is a public issue that requires public policy solutions, including legislative remedies; and

WHEREAS, the Employee Free Choice Act received majority support in both houses of Congress in 2007 but was defeated by a minority of senators; and

WHEREAS, the Employee Free Choice Act will safeguard workers' ability to

Resolution No. 2008-11Passed MAY 27 2008, 20

make their own decisions about forming a union, provide for first contract mediation and arbitration and establish meaningful penalties when employers violate workers' rights.

THEREFORE, BE IT RESOLVED, by the Council of the City of Marion, Marion County, Ohio support the Employee Free Choice Act, which would authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily signs authorization cards designating that union to represent them; provide for first contract mediation and arbitration; and establish meaning full penalties for violations of a worker's freedom to choose a union.

Section 1. That this resolution take affect on the earliest date allowed by law.

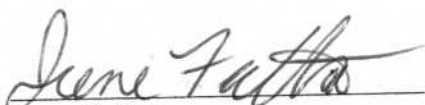


Dave Edwards
President of Council

Approved:

Mayor Scott Schertzer

Attest:



Irene Fulton
Clerk of Council

Legislation handed back to Clerk
on June 26, 2008

Resolution No. 2008-12

Passed MAY 27 2008, 20

RESOLUTION CONFIRMING THE APPOINTMENT OF AARON BELMER TO SERVE AS THE FIFTH MEMBER OF THE BOARD OF DIRECTORS OF THE MARION PORT AUTHORITY AND DECLARING AN EMERGENCY.

WHEREAS, by previous Ordinance the Marion Port Authority was created as a joint effort with the County of Marion, Ohio; and

WHEREAS, the Port Authority is governed by a five member board. The County of Marion and the City of Marion are each responsible for the appointment of two members, which each has done. The authorizing agreement provides for the fifth member being appointed with the consent of each government with the only requirement being the fifth member must be an elector of the City of Marion, Ohio; and

WHEREAS, the Mayor has brought forth Aaron Belmer and requests the Council consent and confirm his appointment to the Marion Port Authority.

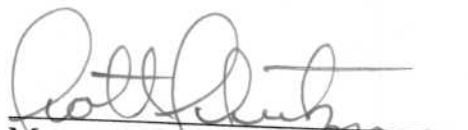
BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

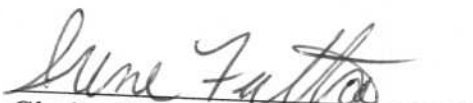
Section 1. The council of Marion does hereby consent and confirm the appointment of Aaron Belmer to serve as the fifth member of the Marion Port Authority, for which term expires December 31, 2011

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 Port Authority in place, the resolution shall take effect and be in force immediately upon its passage and approval by the Mayor, provided that it receives the affirmative vote of two thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.


President of Council

APPROVED: MAY 28 2008


Mayor Scott Schertzer


Clerk of Council

Resolution No. 2008-14

Passed JUN 23 2008, 20

**RESOLUTION CONSENTING TO THE APPOINTMENT BY THE
MAYOR OF ALFRED GOERLICH AS A MEMBER OF THE
AIRPORT COMMISSION, AND APPROVING AND CONFIRMING
SAID APPOINTMENT**

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

WHEREAS, Mayor Scott Schertzer, has asked Council for its approval and consent to the appointment of Alfred Goerlich to said Airport Commission for a term of three (3) years, said term to begin June 1, 2008 and end May 31, 2011,


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

Section 1. That the appointment by Mayor Scott Schertzer of Alfred Goerlich to the Airport Commission, to wit:

MEMBER	TYPE OF MEMBER	TERM
Alfred Goerlich	Person who resides within Two miles of Marion Municipal Airport	Three (3) years, June 1, 2008 May 31, 2011

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

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


 Dave Edwards
 President of Council

APPROVED: JUN 24 2008


 Mayor Scott Schertzer

ATTEST:


 Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2008-15

Passed JUN 23 2008, 20

RESOLUTION APPROVING AND ADOPTING THE BUDGET OF THE CITY OF MARION, OHIO FOR THE YEAR 2009, AND DECLARING AN EMERGENCY.

WHEREAS, the annual tax budget of the City of Marion for the year 2009 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:

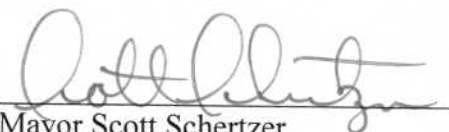
Section 1. That the tax budget of the City of Marion, Ohio for the year 2009 be and the same is hereby approved and adopted.

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.

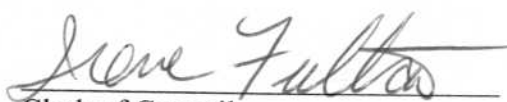
Section 3. This resolution is hereby declared to be an emergency measure necessary for the welfare of the City of Marion and the inhabitants thereof and for further reason that said budget must be filed with the County Auditor by July 18, 2008; and as such emergency, shall take effect and be in force 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.


Dave Edwards
President of Council

APPROVED: JUN 24 2008


Mayor Scott Schertzer

Attest:


Clerk of Council

Resolution No. 2008-16

Passed _____, 20____

RESOLUTION STATING THE COUNCIL'S SUPPORT AND ENCOURAGEMENT FOR A MEETING OF THE PRINCIPALS IN THE CONTINUING EFFORTS TO MERGE THE TWO CO-EXISTING BOARD OF HEALTH WITH THE END RESULT HOPEFULLY BEING A FAIR AND EQUITABLE PLAN TO MERGE OPERATIONS

WHEREAS, The Council is aware of the continuing efforts to move forward with the merging of the community's two co-existing Health Departments and to maintain and improve existing services, and

WHEREAS, the Council desires to go on "record" as supporting the detailed analysis including the preparation of an actual written plan for further consideration.

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

Section 1. the Council for the City of Marion supports the efforts and working with the necessary entities toward the merger of the County Board of Health Operations and the City Board of Health Operations into one newly constituted entity. The Council believes it is important to take the next step, that being the core principals designate a representative (DAC member, City Council member, County Commissioner, County Health Board member, City Health Board member, Director County Health Department and Director City Health Department ((County Prosecutor and City Law Director)) in order to continue to meet with the end being a written plan to be submitted to both the DAC and the City Council for final approval.

Section 2. That this resolution take affect on the earliest date allowed by law.

Dave Edwards
President of Council

APPROVED:

Mayor Scott Schertzer

Attest:

Clerk of Council

Deafeated 6-3 August 25, 2008

RECORD OF RESOLUTIONS

0301

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2008-13

Passed JUN 23 2008, 20

RESOLUTION CONSENTING TO THE APPOINTMENT BY THE MAYOR OF TIMOTHY J. MANTEY AS A MEMBER OF THE AIRPORT COMMISSION, AND APPROVING AND CONFIRMING SAID APPOINTMENT

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

WHEREAS, Mayor Scott Schertzer, has asked Council for its approval and consent to the appointment of Timothy J. Mantey to said Airport Commission for a term of three (3) years, said term to begin June 1, 2008 and end May 31, 2011,

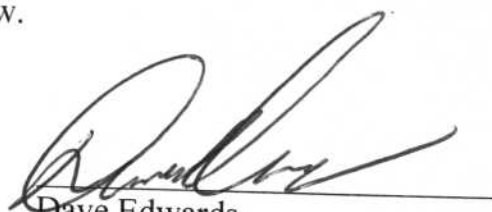
BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That the appointment by Mayor Scott Schertzer of Timothy J. Mantey to the Airport Commission, to wit:

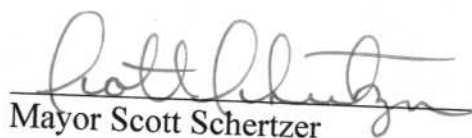
MEMBER	TYPE OF MEMBER	TERM
Timothy J. Mantey	Person associated with Agriculture and farming	Three (3) years, June 1, 2008 May 31, 2011

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

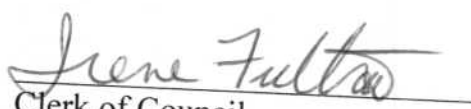
Section 2. That this resolution shall take effect and be in force from and after the earliest period allowed by law.


Dave Edwards
President of Council

APPROVED: JUN 24 2008


Mayor Scott Schertzer

ATTEST:


Clerk of Council

Resolution No. 2008-17

Passed AUG 25 2008, 20

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

WHEREAS, Amended Substitute Senate Bill 136 of the 124th 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

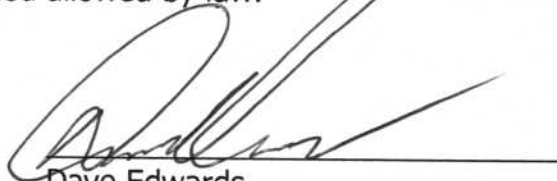
WHEREAS, the Mayor, with the assistance of the Director of Public Health and Environmental Health Director, has identified certain residents of the City of Marion to serve as members of the Health Board's License Advisory Council for vacant positions.


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.

APPROVED: AUG 26 2008


Dave Edwards
President of Council


Mayor Scott Schertzer

ATTEST:


Clerk of Council

RECORD OF RESOLUTIONS

0257

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2008-19

Passed SEP 22 2008, 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, 2009, 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 THE BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES.

NAME OF FUND	AMT. TO BE DERIVED FROM LEVIES OUTSIDE THE 10 MILL LIMITATIONS	AMT. APPROVED BY THE BUDGET COMMISSION INSIDE THE 10 MILL LIMITATION	COUNTY AUDITORS ESTIMATE OF TAX RATE TO BE LEVIED		
			General	Police	Fire
General		\$1,300,550.00			
Police		\$118,127.00			
Fire		\$118,127.00			
Marion City SD D12			3.60	.30	.30
Marion City D13			2.60	.30	.30
Elgin SD					
Marion City D14			.90	.30	.30
Pleasant SD					
Marion City D15			2.70	.30	.30
River Valley SD					
Marion City D41			1.40	.30	.30
Ridgedale SD					

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

APPROVED:

SEP 23 2008

David Edwards, President of Council

Mayor Scott Schertzer

Irene Fulton, Clerk of Council

R2008-19

Resolution No. 2008-2 Passed JAN 28 2008, 20

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. Richmond Avenue	E. Fairground Street	Bahama Drive
2. Ballentine Avenue	Fairground Street	Quarry Street
3. S. Vine Street	Church Street	Lafayette Street
4. Virginia Avenue	Brightwood Drive	Uhler Avenue
5. National Drive	Clinton Street	St. Gallen Street
6. St. Gallen Street	National Drive	Western Drive
7. Western Drive	Clinton Street	St. Gallen Street
8. Franklin Street	S. Vine Street	Bradford Street
9. Silver Street	W. Corporation	Prospect Street
10. State Street	Patten Street	Washington Street
11. Prospect Street	N. Corporation	Walnut Street
12. Leader Street	W. Center Street	W. Fairground Street
13. Spencer Street	Indiana Avenue	E. Center Street
14. S. Vine Street	Lafayette Street	E. Walnut Street
15. Rodney Drive	Colonial Drive	Amherst Drive
16. Davids Street	Bellefontaine Avenue	Barks Road
17. Gurley Avenue	S. State Street	S. Vine Street
18. Seffner Avenue	W. Center Street	North Termini
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. Central Drive	Littleton Street	Roberts Avenue

Resolution No. _____

Passed _____

JAN 28 2008

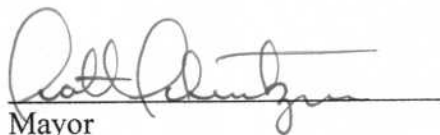
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- | | | | |
|-----|------------------|-------------------|------------------|
| 28. | Bennett Street | Latourette Street | W. Corp. Line |
| 29. | Van Buren Street | Grant Street | Jefferson Street |
| 30. | Burgundy Drive | Normandy Drive | Marseille Drive |
| 31. | Shadyside Drive | Brightwood Drive | Forest Street |
| 32. | Curve Street | Center Street | Bennett Street |


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, 2008 and as such shall take effect and be enforced immediately upon its' passage and approval by the Mayor, provided it receives the affirmative vote of two thirds of all members elected to Council; otherwise it shall become effective from and after the earliest period allowed by law.

Approved: _____

JAN 30 2008


Mayor
President of Council

Attest: _____


Clerk of Council

Resolution No. 2008-20

Passed SEP 22 2008, 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 2009 Street Resurfacing Project (Project 09-1R), Pennsylvania Avenue and Forest Lawn Boulevard Sewer Improvements (Project 09-1S), Blaine Avenue Sewer Improvements (Project 09-2S), and Woodrow Avenue and Henry Street Sewer Improvements (Project 08-3S), 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,

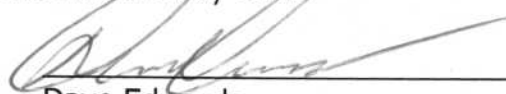
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio:

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.

Approved: SEP 23 2008


Dave Edwards
President of Council


Mayor Scott Schertzer

Attest: 
Clerk of Council

RECORD OF RESOLUTIONS

0261

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2008-21

Passed OCT 27 2008, 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE A CASH ADVANCE OF \$566,500.00 TO THE RICHMOND AVENUE PROJECT FUND FROM THE GENERAL FUND.

Whereas, the City of Marion has determined that there is a dire need to proceed with the Richmond Avenue Project, Project No. 08-1S, and

Whereas, the City of Marion anticipates issuing notes to cover the cost of said contract in January of 2009, and

Whereas, the project will need to proceed in the 2008 year and said funds are needed to be advanced until such time as the notes are issued.

Now therefore, be it resolved by the Council of the City of Marion, Ohio:

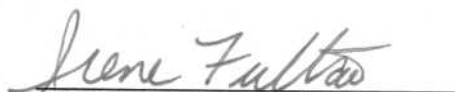
1. The City Auditor is hereby authorized to advance the cost of said project in the amount of \$566,500.00.
2. That the City of Marion intends to issue notes for the said project in January of 2009 with the anticipated advance being repaid to the General fund in January of 2009.
3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.


Dave Edwards
President of Council

APPROVED: OCT 28 2008


Mayor Scott Schertzer

Attest;


Clerk of Council

RECORD OF RESOLUTIONS

0263

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2008-22Passed NOV 10 2008, 20

RESOLUTION AUTHORIZING THE CITY AUDITOR TO MAKE A CASH ADVANCE OF \$500,000.00 TO THE CAPITAL/CONTINGENCY FUND FROM THE GENERAL FUND

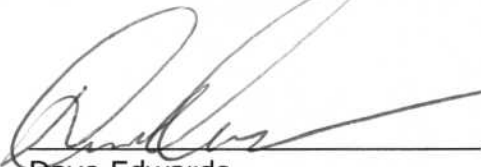
Whereas, the City of Marion has determined a need to advance funds in anticipation of issuing notes for the City of Marion Software upgrades, and

Whereas, the City of Marion anticipates issuing notes to cover the cost of said contract in January of 2009, and

Whereas, the project will need to proceed in the 2008 year and said funds are needed to be advanced until such time as the notes are issued.

Now therefore, be it resolved by the Council of the City of Marion, Ohio:

1. The City Auditor is hereby authorized to advance the cost of said project in the amount of \$500,000.00 to the capital contingency fund 401.7712.550450.
2. That the City of Marion intends to issue notes for the said project in January of 2009 with the anticipated advance being repaid to the General fund in January of 2009.
3. That this resolution shall take effect and be in force from and after the earliest period allowed by law.


Dave Edwards
President of Council

APPROVED: NOV 12 2008


Mayor Scott Schertzer

Attest


Clerk of Council

Resolution No. 2008-23

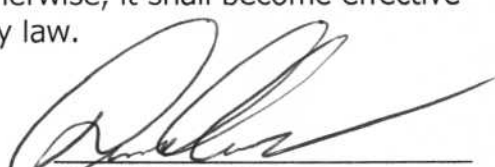
Passed DEC 8 2008, 20

RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF BRENDA WAGNER 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 Scott Schertzer of Brenda Wagner, to serve a five-year term beginning January 1, 2009, as a member of the Marion City Board of Health, and for which term expires December 31, 2013, 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.


Dave Edwards
President of Council

Approved: DEC 9 2008


Mayor Scott Schertzer

Attest:


Clerk of Council

R2008-23

Resolution No. 2008-24

Passed DEC 8 2008, 20

RESOLUTION CONFIRMING THE RE-APPOINTMENT, BY THE MAYOR, OF STEVE WILLIAMS AS A MEMBER OF THE MARION CITY DESIGN REVIEW BOARD AND DECLARING AN EMERGENCY.

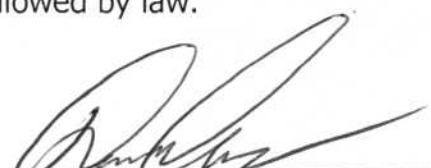
WHEREAS, pursuant to Ordinance No. 1990-5, the Mayor of the City of Marion is authorized to appoint members to the Design Review Board, subject to the approval and consent of Council, and

WHEREAS, Mayor Scott Schertzer, has asked Council for its approval and consent to the re-appointment of Steve Williams to said Board for a term of four (4) years to end December 31, 2011,

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


Section 1. That the appointment by Mayor Scott Schertzer of Steve Williams to serve a four (4) year term ending December 31, 2011 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.


Dave Edwards
President of Council

APPROVED: DEC 9 2008


Mayor Scott Schertzer


Clerk of Council

R2008-24

Resolution No. 2008-25

Passed DEC 22 2008, 20

RESOLUTION CONFIRMING THE APPOINTMENT, BY THE MAYOR, OF STEVE VANDERHOFF TO SERVE AS A MEMBER OF THE MARION CITY RECREATION BOARD AND DECLARING AN EMERGENCY.

WHEREAS, Mayor Scott Schertzer has asked Council for its approval of the appointment Steve Vanderhoff to the Marion City Recreation Board for a term of five (5) years, with said term to begin January 1, 2009 and end December 31, 2013.

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

Section 1. That the re-appointment by Mayor Scott Schertzer of Steve Vanderhoff to serve a five-year term beginning January 1, 2009, as a member of the Marion City Recreation Board, which term expires December 31, 2013 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.


Dave Edwards
President of Council

APPROVED:


Mayor Scott Schertzer


Clerk of Council

RECORD OF RESOLUTIONS

0223

Dayton Legal Blank, Inc., Form No. 30045

FEB 11 2008

, 20

Resolution No. 2008-3

Passed

RESOLUTION PURSUANT TO COUNCIL RULE 14 CREATING A SELECT COMMITTEE TO WHOM THE MATTERS REGARDING HOSPITAL ISSUES SHALL BE REFERRED AND PROVIDING FOR ITS' COMPOSITION, AND DECLARING AN EMERGENCY

WHEREAS, the Council for the City of Marion, has recommended that a select committee be formed in addition to the current standing committees to which all matters regarding the hospital issues shall be referred, and

WHEREAS, the Council finds an immediate need for the aforementioned select committee which shall be referred to as the Select Committee on Hospital Issues, and

WHEREAS, the Council has reached a consensus as to the formation and membership of said Committee,

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

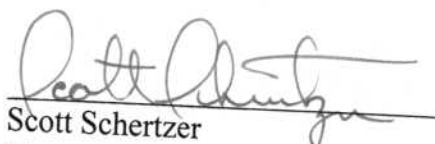
Section 1. There is hereby created, pursuant to Council Rules, a Select Committee on Hospital Issues to which all matters regarding the hospital issues shall be referred,

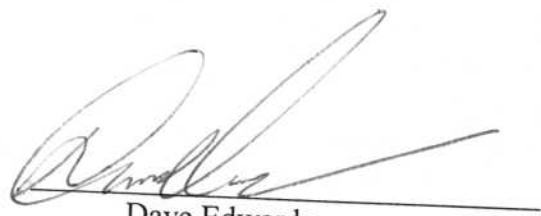
Section 2. The Committee created herein shall be composed of a total of four council members: Ralph Cumston, Mike Thomas, Dr. Gilsdorf, and Jason Schaber. In addition the Committee's membership shall include the Mayor and Law Director both of whom shall be non-voting members, except for the case in which there exists a deadlock or tie vote of the membership at which time the Mayor shall be empowered to cast a vote in order to break a deadlock or tie vote,

Section 3. The Committee shall conduct all it's meeting in accordance with Council's Rules and shall report to the Council its' actions which are conclusive,


Section 4. 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 protect the interests of the Citizens of the City and expeditiously carry out the Council's duties, 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: FEB 12 2008


Scott Schertzer
Mayor


Dave Edwards
President of Council

Attest:


Irene Fulton
Clerk of Council

Resolution No. 8005 1 1 033

Passed _____, 20____

8005 1 1 033

Resolution No. 2008-4

Passed

FEB 25 2008

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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 ODOT program rules as the Director of Transportation prescribes.

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

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

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



Dave Edwards
President of Council

APPROVED: **FEB 26 2008**



Scott Schertzer
Mayor

Attest:



Irene Fulton
Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____

Passed _____, 20____

444 3 2 637

RECORD OF RESOLUTIONS

0227

Dayton Legal Blank, Inc., Form No. 30045

MAR 24 2008

Resolution No. 2008-5

Passed _____, 20____

RESOLUTION STATING THE COUNCIL'S SUPPORT FOR AFFORDABLE SENIOR HOUSING AND THE PROJECT BEING PROPOSED BY THE SCHWAB VENTURES, LLC.

WHEREAS, the Schwab Ventures, LLC has proposed a program which will provide for affordable senior housing within the City of Marion, and

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

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

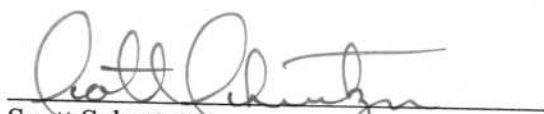
Section 1. The Council for the City of Marion hereby indicates its support for the Village on Main Lofts project proposed to be developed within the City by the Schwab Ventures, LLC. The Council supports the project as was summarized and which is expected to contain approximately 28 apartment complex located at 197 South Main Street, Marion Ohio, 43302. The complex will consist of 10 one bedroom and 18 two bedroom apartments and targeted to seniors aged 55 and older. 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.




Dave Edwards
President of Council

APPROVED: MAR 25 2008


Scott Schertzer
Mayor

Attest:


Irene Fulton
Clerk of Council

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____ Passed _____, 20____

4-16-21 2021

Resolution No. 2008-6


Passed **MAR 11 2008**, 20

**RESOLUTION CONFIRMING THE APPOINTMENT, BY THE
MAYOR, OF ANGELA YAZEL, 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 appointment by Mayor Scott Schertzer of Angela Yazel, to serve as a member of the Marion City Board of Health for a term which expires December 31, 2012, 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.


Dave Edwards
President of Council

Approved: **MAR 12 2008**


Mayor Scott Schertzer

Attest:


Irene Fulton
Clerk of Council

Resolution No. 8005 I I HAM Passed _____, 20____

RECORD OF RESOLUTIONS

0233

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 2008-7

Passed

APR 7 2008

, 20

RESOLUTION AUTHORIZING THE CITY OF MARION TO PARTICIPATE IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM FOR POLITICAL SUBDIVISIONS

WHEREAS, Ohio's Cooperative Purchasing Act. (AM. Sub. H.B. No. 100), was signed into law on December 4, 1985; and

WHEREAS, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authorities, regional airport authorities or port authorities and school districts, conservancy districts, township park districts and park districts and other authorities, to participate in contracts distributed by the state of Ohio, Department of Administrative Services, Office of Cooperative Cooperative Purchasing for the purchase of supplies, services, equipment and certain materials; now therefore,

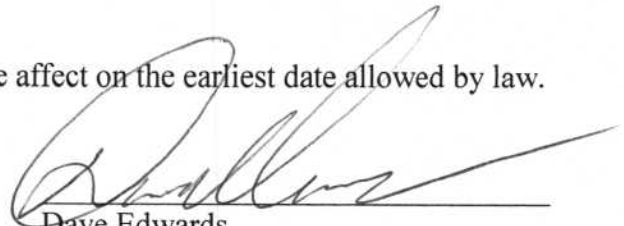
BE IT ORDAINED by the City of Marion, Marion County, Ohio,

Section 1. That the Mayor, and the Safety Director hereby request authority in the name of the City of Marion, Ohio to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, services, equipment and certain other materials pursuant to Revised Code Section 125.04.

Section 2. That the Mayor, and Safety Director are hereby authorized to agree in the name of the City of Marion, Ohio to be bound by all contract terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs which the Department of Administrative Services incurs as a result of the City of Marion, Ohio's participation in the contract. Further, that the Mayor and Safety Director do hereby agree to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to non-members of the coop for the purpose of avoiding the requirements established by ORC 125.04.

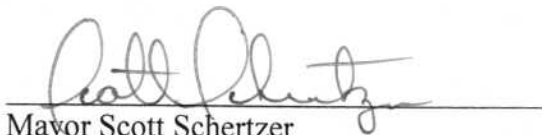
Section 3. That the Mayor, and the Safety Director are hereby authorized to agree in the name of the City of Marion, Ohio to directly pay the vendor, under each such state contract in which it participates for items it receives pursuant to the contract, and the Mayor, and the Safety Director do hereby agree to directly pay the vendor.

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



Dave Edwards
President of Council

APPROVED: APR 8 2008



Mayor Scott Schertzer

Attest:



Irene Fulton
Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____ Passed _____, 20____

Resolution No. 2008-8

Passed APR 14 2008, 20

RESOLUTION CONFIRMING THE APPOINTMENTS, BY THE MAYOR, OF : MICHAEL NICOLOSI TO SERVE AS A MEMBER OF THE BOARD OF DIRECTORS OF THE MARION PORT AUTHORITY; DAVE REYNOLDS AND PHIL HARBOLT TO SERVE AS MEMBERS OF THE THE MARION CITY DESIGN REVIEW BOARD AND DECLARING AN EMERGENCY.

WHEREAS, Mayor Scott Schertzer has asked Council for its approval of the appointment of Michael J. Nicolosi to the Board of Directors for the Marion Port Authority to fill an unexpired term, with said term ending December 31, 2009.

WHEREAS, Mayor Scott Schertzer, has asked Council for its approval and consent to the appointment of Phil Harbolt to the Board of Directors for the Marion City Design Review Board for an unexpired term to end December 31, 2009, and

WHEREAS, Mayor Scott Schertzer, has asked Council for its approval and consent to the appointment of Dave Reynolds to the Board of Directors for the Marion City Design Review Board for an unexpired term to end December 31, 2011, and

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

Section 1. That the appointment by Mayor Scott Schertzer of Michael J. Nicolosi to fill an unexpired four-year term as one of the City's representatives on the Marion Port Authority, for which term expires December 31, 2009, be and is hereby confirmed and approved.

Section 2. That the appointment by Mayor Scott Schertzer of Phil Harbolt to fill an unexpired four-year term as one of the City's representatives on the Marion City Design Review Board, for which term expires December 31, 2011, be and is hereby confirmed and approved.

Section 3. That the appointment by Mayor Scott Schertzer of Dave Reynolds to fill an unexpired four-year term as one of the City's representatives on the Marion City Design Review Board, for which term expires December 31, 2009, be and is hereby confirmed and approved.

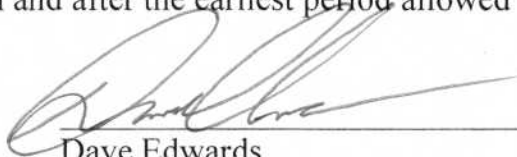
APR 14 2008

Resolution No. _____

Passed _____

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Section 4. 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 further reason that it is necessary due to the need to have the Port Authority in place, the resolution shall take effect and be in force immediately upon its passage and approval by the Mayor, provided that it receives the affirmative vote of two thirds of all members elected to Council; otherwise, it shall become effective from and after the earliest period allowed by law.



Dave Edwards
President of Council

APPROVED: APR 15 2008



Mayor Scott Schertzer

ATTEST:



Irene Fulton
Clerk of Council