

THE VILLAGE OF MARSHALLVILLE

RESOLUTION NO. 03-25

A RESOLUTION OF THE VILLAGE OF MARSHALLVILLE, WAYNE COUNTY OHIO AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT WITH THE VILLAGE OF DALTON AND NECESSARY PARTIES RELATING TO LITIGATION IN THE WAYNE COUNTY COURT OF COMMON PLEASE CAPTIONED VILLAGE OF MARSHALLVILLE V. EAST WAYNE FIRE DISTRICT ET AL. AND DECLARING AN EMERGENCY

WHEREAS, on December 1, 2023, Marshallville filed a Complaint in the Wayne County Court of Common Pleas, captioned Village of Marshallville v. East Wayne Fire District et al., Case No. 2023 CVC-H000427, against East Wayne Fire District, Village of Dalton et al., and

WHEREAS, the Village of Marshallville, the Village of Dalton, and the East Wayne Fire District have agreed to a settlement that will resolve the underlying litigation, and

WHEREAS, Council find and determines, after reviewing all pertinent information that is necessary and in the best interest of the Village of Marshallville it wishes to settle the litigation and authorize the execution the settlement agreement

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Marshallville, Wayne County, Ohio that:

**Section 1:** The Mayor is hereby authorized to execute the settlement agreement attached hereto as Exhibit A if fully re-written to settle the pending litigation in the Wayne County Court of Common Pleas case captioned Village of Marshallville v. East Wayne Fire District et al., Case Number 2023 CVC-H000427.

**Section 2:** That it is found and determined that all formal action of this Council concerning and relating to the passage of this Resolution were taken in conformance with the applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meeting requirements.

**Section 3:** This Resolution is hereby declared an emergency measure necessary for the immediate preservation of the public health, safety, peace, property and welfare; and for the further reason it is necessary to immediately end the pending litigation and spare the Village additional expense. Wherefore this resolution shall be take effect and be in full force immediately from and after its passage and approval by the Mayor.

Passed: November 17, 2025