

ORDINANCE: 61 – 18

PASSED: November 13, 2018

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE PAYMENT ON A CONTRACT WITH ICE MILLER AND DECLARING AN EMERGENCY**

**WHEREAS**, Ice Miller provides consulting and legal services to the Village of Obetz; and,

**WHEREAS**, the Village contractually owes fees for which a purchase order, with a prior certification of availability of funds by the Village Director of Finance attached, had not been obtained; and,

**WHEREAS**, Section 5705.41 (D)(1) of the Ohio Revised Code provides that in certain circumstances a subdivision may authorize payment on a contract executed without prior certification by the subdivision's Director of Finance; and,

**WHEREAS**, the Village Council now has before it a certificate from the Director of Finance certifying there was at the time of the making of that contract and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any encumbrances (a "then and now certificate"); and,

**WHEREAS**, less than thirty days have passed since the Village Council's receipt of the certificate from the Director of Finance; and,

**WHEREAS**, the Village Council desires to satisfy the obligation of that contract;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, OHIO, THAT:**

Section 1. Village Council hereby acknowledges receipt of a "then and now certificate" from the Director of Finance, and authorizes and directs the Director of Finance to draw a warrant in the amount of \$9,410 payable to Ice Miller.

Section 2. This ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public health, safety and welfare, such emergency arising from the need to comply with statutory timelines concerning "then and now certificates"; wherefore, this ordinance shall take effect and be in force from and after its passage.

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Passed this 13 day of November, 2018.

**ATTESTS:**

Stacey Boumis  
Stacey Boumis, Clerk of Council

D. Greg Scott  
D. Greg Scott, Mayor

Michael A. Flaherty  
Michael Flaherty, Council Pres. Pro-Tem

**APPROVED AS TO FORM**

[Signature]  
Stephen J. Smith, Esq., Law Director

**CERTIFICATION OF PUBLICATION**

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance 61-18 was duly posted at 12:00 PM (time) on the 15 day of November, 2018, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.

Stacey Boumis  
Stacey Boumis, Clerk

11/15/18  
Date

