

VILLAGE OF OBETZ
RECORD OF ORDINANCES

ORDINANCE: 34 – 19

PASSED: September 23, 2019

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE PAYMENT ON A CONTRACTS WITH AMERICAN ELECTRIC POWER, AND DECLARING AN EMERGENCY

WHEREAS, American Electric Power, provides electric and construction services to the Village of Obetz; and,

WHEREAS, American Electric Power normally submits a “Contribution-In-Aid-of-Construction Agreement” which details the cost of the work to be completed prior to starting construction; and,

WHEREAS, in this instance, American Electric Power did not provide a “Contribution-In-Aid-of-Construction Agreement”; rather, they completed the work without submitting this to the Village; and,

WHEREAS, after these services were rendered, the Village received an invoice 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 make payment not to exceed the amount of \$12,077.65 payable to American Electric Power.

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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.

Passed this 23 day of September, 2019.

ATTESTS:

Stacey Boumis
Stacey Boumis, Clerk of Council

D. Greg Scott
D. Greg Scott, Mayor

Robert W. Kramer
Robert Kramer, Council President 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 34-19 was duly posted at 11:00 AM (time) on the 25 day of September, 2019, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center, as well as on the Obetz website.



Stacey Boumis
Stacey Boumis, Clerk

9/25/19
Date