

VILLAGE OF OBETZ  
RECORD OF ORDINANCES



ORDINANCE: 61 – 20

PASSED: December 14, 2020

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

**WHEREAS**, Franklin Equipment provides equipment repair services to the Village of Obetz; 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 \$13,178.86 payable to Franklin Equipment, LLC.

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 14 day of December, 2020.

**ATTESTS:**

Stacey Boumis  
Stacey Boumis, Clerk of Council

Angela M. Kirk  
Angela M. Kirk, Mayor

Michael Flaherty  
Michael Flaherty, Council President Pro Tem

**APPROVED AS TO FORM**

Eugene Hollins  
Eugene Hollins, 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 61-20 was duly posted at 1:30 PM (time) on the 15 day of December, 2020, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center, as well as on the Obetz website.



Stacey Boumis  
Stacey Boumis, Clerk

12/15/20  
Date