

**CITY OF OBETZ
RECORD OF ORDINANCES**



ORDINANCE: 46 – 21

PASSED: December 13, 2021

AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE PAYMENT ON A CONTRACT WITH TOOLE AND ASSOCIATES AND DECLARING AN EMERGENCY

WHEREAS, Toole and Associates provides inspections and acts as the Chief Building Official for the City of Obetz; and,

WHEREAS, after these services were rendered, the City received invoices for which a purchase order, with a prior certification of availability of funds by the Director of Finance attached, had been obtained but with an insufficient balance to pay the contract; 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 City 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 City Council's receipt of the certificate from the Director of Finance; and,

WHEREAS, the City Council desires to satisfy the obligations of the contract;

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

Section 1. City Council hereby acknowledges receipt of "then and now certificates" from the Director of Finance and authorizes and directs the Director of Finance to make payment not to exceed the amount of \$10,719.40 to Toole & Associates.

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 13th day of December, 2021.

ATTESTS:

Stacey Boumis
Stacey Boumis, Clerk of Council

Angela M. Kirk
Angela M. Kirk, Mayor
Derek Varney
Derek Varney, Council President Pro-Tem

APPROVED AS TO FORM

Eugene Hollins
Eugene Hollins, Esq., Law Director

CERTIFICATION OF PUBLICATION

Pursuant to the City Charter, I, Stacey E. Boumis, Clerk of Council of the City of Obetz, Ohio, do hereby certify that Ordinance 46-21 was duly posted at 1:00 PM (time) on the 15th day of December, 2021, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.



Stacey Boumis
Stacey Boumis, Clerk

12/15/21
Date