

CITY OF OBETZ  
RECORD OF ORDINANCES



ORDINANCE: 38 – 24

PASSED: September 9, 2024

**AN ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE PAYMENT ON A CONTRACT WITH ARTESIAN OF PIONEER, INC. AND DECLARING AN EMERGENCY**

**WHEREAS**, Artesian of Pioneer, Inc. provides water department services and supplies to the City of Obetz; and,

**WHEREAS**, after these services were rendered, the City received an invoice for which a purchase order, with a prior certification of availability of funds by the Director of Finance attached, had been obtained but with the incorrect account number; and,

**WHEREAS**, to correctly classify the payments a then and now purchase order must be approved by council to allow for the redistribution of the payment to the correct account; 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 contracts;

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

Section 1. City 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, or redistribute payment from the correct account, not to exceed the amount \$4,476.78 to Artesian of Pioneer, Inc.

Section 2. City Council hereby acknowledges that \$8,785.78 was paid in 2024 against a purchase order that was issued with the incorrect account number. Council hereby authorizes an adjustment to the accounting records whereby the charges against Account No. 1000-340-420-0000 are reduced by \$8,785.78 and a charge in the same amount is applied against Account No. 5101-539-420-0000.

Section 3. 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 9 day of September, 2024.

**ATTESTS:**

Stacey Boumis  
Stacey Boumis, Clerk of Council

Angela M. Kirk  
Angela M. Kirk, Mayor

Todd Gibbs  
Todd Gibbs, Council President Pro-Tem

**APPROVED AS TO FORM**

Eug 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 38-24 was duly posted at 3:00 PM (time) on the 10 day of September, 2024, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center as well as on the Obetz website.



Stacey Boumis  
Stacey Boumis, Clerk

9/10/24  
Date