



## CITY OF PATASKALA

### RESOLUTION 2018-056

Passed December 3, 2018

#### **A RESOLUTION TO APPROVE A 'THEN & NOW' CERTIFICATION BY THE CITY FINANCE DIRECTOR PURSUANT TO ORC §5705.41 (D)(2) FOR THE PAYMENT OF OPERATING EXPENDITURES.**

***WHEREAS***, the Pataskala Utilities Department deemed it necessary to rent a temporary belt press for use at the water reclamation facility while awaiting arrival of the permanent press; and

***WHEREAS***, the original intention was to use the temporary press for a period of one (1) month for a rental fee of \$8,500; and

***WHEREAS***, it became necessary to use the temporary press for a period of three (3) months in a total rental amount not to exceed \$17,480 which was not accounted for in the originally issued purchase order; and

***WHEREAS***, Ohio Revised Code (ORC) §5705.41(D)(1) provides, in part, that no subdivision or taxing unit shall "make any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the fiscal officer of the subdivision that the amount required to meet the obligation or, in the case of a continuing contract to be performed in whole or in part in an ensuing fiscal year, the amount required to meet the obligation in the fiscal year in which the contract is made, has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances. This certificate need be signed only by the subdivision's fiscal officer. Every such contract made without such a certificate shall be void, and no warrant shall be issued in payment of any amount due thereon. If no certificate is furnished as required, upon receipt by the taxing authority of the subdivision or taxing unit of a certificate of the fiscal officer stating that there was at the time of the making of such contract or order 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 previous encumbrances, such taxing authority may authorize the drawing of a warrant in payment of amounts due upon such contract, but such resolution or ordinance shall be passed within thirty days after the taxing authority receives such certificate; provided that, if the amount involved is less than one hundred dollars in the case of counties or *three thousand dollars* in the case of all other subdivisions or taxing units, the fiscal officer may authorize it to be paid without such affirmation of the taxing authority of the subdivision or taxing unit, if such expenditure is otherwise valid."

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF THE MEMBERS ELECTED THERETO CONCURRING THAT:**

**Section 1:** Pursuant to ORC §5705.41 (D)(1), City Council hereby approves the fiscal officer's certificate, issued by the City Finance Director for the payment of expenses related to the rental of a

sewer utility press from MSD Environmental Services, Inc., a copy of which is attached as Exhibit A and incorporated into this Resolution as if fully rewritten herein.

**Section 2:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any decision making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public and in compliance with all legal requirements of the City of Pataskala, Licking County, Ohio.

**Section 3:** This Resolution shall take effect at the earliest time provided by the laws of the State of Ohio and the Charter of the City of Pataskala.

**Attest:**



Kathy M. Hoskinson, Clerk of Council



Michael W. Compton, Mayor

**Approved as to Form:**



Brian M. Zets, Law Director

**THEN & NOW CERTIFICATION**

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**Vendor:** MSD Environmental Services, Inc.  
**Date of Service:** 09/2018 – 12/2018  
**Purchase Order Amount:** \$20,000.00  
**Account Number:** 651-851-53699 (\$10,000) and 652-852-55451 (\$10,000)

As the Director of Finance for the City of Pataskala, I hereby certify that both at the time the contract or order was made and at the time of certification, sufficient funds were available, or in the process of collection, which were properly appropriated and free from any previous encumbrance.

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James M. Nicholson  
Finance Director

Date

