



Introduced: 9/17/2018
Revised:
Adopted:
Effective:

CITY OF PATASKALA

RESOLUTION 2018-045

A RESOLUTION TO APPROVE A ‘THEN & NOW’ CERTIFICATION BY THE CITY FINANCE DIRECTOR PURSUANT TO R.C. 5705.41 (D)(2) FOR THE PAYMENT OF OPERATING EXPENDITURES.

WHEREAS, the City of Pataskala has authorized a change order for additional work that was required on the Columbia Road Culvert Replacement Project; and

WHEREAS, the value of the necessary change order increased the project cost beyond the original contract value; and

WHEREAS, the work was completed prior to the encumbrance of the additional funds; and

WHEREAS, the City of Pataskala has approved supplemental expenditures through Ordinances 2018- 4313 and 2018-4324 to encumber the additional funds required (\$20,000.00); and

WHEREAS, R.C. 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 MEMBERS PRESENT CONCURRING THAT:

Section 1: Council for the City for the City of Pataskala hereby approves, pursuant to R.C. 5705.41 (D)(1), the fiscal officer's certificate, issued by the City Finance Director for the payment of expenses, a copy of which is attached as Exhibit A and incorporated herein by reference.

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 allowed by the Charter of the City of Pataskala.

ATTEST:

Kathy M. Hoskinson, Clerk

Michael W. Compton, Mayor

APPROVED AS TO FORM:

Brian M. Zets, Law Director