



CITY OF PATASKALA

ORDINANCE 2023-4444

Passed January 17, 2023

**AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES DURING THE FISCAL YEAR ENDING DECEMBER 31, 2023 AND DECLARING AN EMERGENCY.**

*WHEREAS*, Council previously adopted the Municipal Budget (“the budget”) for the year ending December 31, 2023 (Ord. 2022-4432), and is authorized to amend the budget during the budget year; and

*WHEREAS*, the Pataskala Utility department (“the Utility department”) operates a Water Reclamation Facility (“WRF”) which processes municipal sewage and industrial waste; and

*WHEREAS*, the WRF underwent an extensive upgrade project in 2020 that did not produce the required results that were specified during the design phase; and

*WHEREAS*, it has been determined that two additional 25 HP blowers will need to be installed to correct the issue at the WRF at an anticipated cost of two hundred fifty thousand dollars (\$250,000), and

*WHEREAS*, it is critical that the equipment be ordered as soon as possible in order to have them in place by May 1, 2023 when the Ohio Environmental Protection Agency’s (“Ohio EPA”) discharge limits at the WRF become more stringent for the summer reporting season, and not meeting those permit limits could result in fines or findings and orders from the Environmental Protection Agency, and;

*WHEREAS*, the design of, as well as purchase and installation of, the additional blowers could take several months to complete, the Administration is requesting that council consider this Ordinance as an emergency and waive the regular three reading process; and

*WHEREAS*, the approved 2023 budget did not contain appropriations for these expenditures; and

*WHEREAS*, pursuant to Section 5.04 of Article V of the Charter of the City of Pataskala, the Finance Department has determined that it is necessary to make certain amendments to the 2020 budget; and

*WHEREAS*, Ohio Revised Code Section 5705.41(B) provides, in part, that no subdivision or taxing unit shall “make any expenditure of money unless it has been appropriated in such chapter.”

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF ALL MEMBERS ELECTED OR APPOINTED THERETO CONCURRING, THAT:**

Section 1: Council hereby authorizes an increase in the Sewer Utility function, Capital Outlay object in the amount of **two hundred fifty thousand dollars (\$250,000.00)** from the **Sewer Capital Improvements Fund (Fund 652)**, as follows:

***SEWER CAPITAL IMPROVEMENTS***

**Sewer Utility**

652.852.55451	Capital Outlay	<u>\$ 250,000.00</u>
	<b>Total Sewer Utility</b>	<b><u>\$ 250,000.00</u></b>
	<b>Total Sewer Capital Improvements</b>	<b><u>\$ 250,000.00</u></b>

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

Section 3: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of the City and the further reason that the City needs to make this appropriation and corresponding expenditure immediately because the design and manufacturing of the required utility plant blowers has a significant lead time, and the Utility department must have them installed by the May 1, 2023 Ohio EPA reporting deadline. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council.

**Attest:**

  
Kathy M. Hoskinson, Clerk of Council

  
Michael W. Compton, Mayor

**Approved as to form:**

  
Brian M. Zets, Law Director