

Sponsor Hensler/Ondera

RESOLUTION NO. 16-18

A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO INDIANA EASTERN RAILROAD, LLC PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$65,896.68 AND DECLARING AN EMERGENCY.

WHEREAS, the legislative authority of the City of Jackson, Ohio, pursuant to Ohio Revised Code Section 5705.41(D), finds that sufficient sums existed then and do so now exist for the payment of the expense in the amount of \$65,896.68 to the Indiana Eastern Railroad, LLC as requested by the issuance of a "then and now" certificate from the City Auditor; and

WHEREAS, legislative authority of the City of Jackson, Ohio, now desires to approve the "then and now" certificate.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

Section 1. The Jackson City Council hereby authorizes and approves the expenditure as set forth in the Auditor's Certificate and the materials attached hereto as Exhibit "A", and made a part hereof.

Section 2. This Resolution is hereby declared to be an emergency Resolution necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, and for the further reason that the Jackson City Council must act promptly in approving the Then and Now Certificate to allow for prompt payment for work completed and for which payment is now due. Therefore, this Resolution shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

Section 3. In the event this Resolution receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Resolution shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

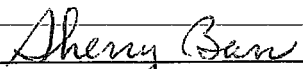
It is hereby found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that the deliberations of this Council that resulted in such formal actions were in a meeting open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 9th day of July, 2018.



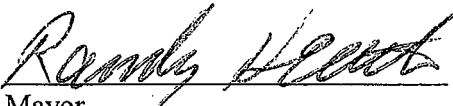
President of Council

ATTEST:



Clerk of the Legislative Authority

Approved this 9th day of July, 2018.



Mayor

THEN AND NOW CERTIFICATE

It is hereby certified that, pursuant to Ohio Revised Code Section 5705.41(D), that at the time of the making of such contract or order and at the time of the execution of this certificate, a sufficient sum was appropriated for the purpose of such contract and in the Treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrance.

The taxing authority has thirty (30) days from the receipt of this certificate to approve for payment by resolution; otherwise this certificate becomes null and void and there is no legal liability on the part of the City or the taxing authority.

Date of Certificate: 10-29-2018

Warrant #: _____

Line Item #: 260-7570-53064

PO #: 2018000901

Invoice #: 1159

Invoice Date: 3-31-18 (Draw #1)

Amount: \$ 65,896.68

Vendor Name: Indiana Eastern R.R.

Resolution #: _____

Date & Page in
City Council
Minutes: _____

REASON: *Waiting on funds from ARJ/DSA; they had to appropriate same funds in to above line item*

City Auditor

Date Certified

BOARD OF CONTROL
MINUTES OF MEETING
JUNE 22, 2018
10:22 A.M.

Present: Randy Heath (Mayor), Tom Woltz (Interim Director of Public Service/Safety) and
Judy L. Brown (Probationary Clerk).

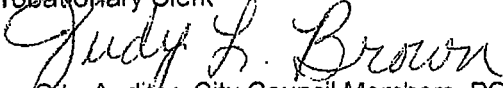
Item Discussed:

- 1) INDIANA EASTERN RAILROAD DBA O.S.C.R. for RAILROAD REHAB, rail rehab & expansion project (THIS SI DRAW #1, invoice dated 3/31/18, from the ARC/DSA funding) to be taken from line item #260-7570-53064 in the total amount of \$65,896.68. Motion to approve by Randy; seconded by Tom; all in favor; motion carried.

Motion to adjourn by Randy; seconded by Tom; all in favor; meeting adjourned at 10:23 A.M.

Judy L. Brown

Probationary Clerk



cc: City Auditor, City Council Members, PO Clerk

Print Form

Rec Form #

RECEIVING FORM

City of Jackson, Ohio

Date: 6-29-18

P.O. Number: 2018000901

Received From INDIANA EASTERN RAILROAD DBA OHIO SOUTH CENTRAL RAILROAD

Quantity	Description	Line #	Unit Price	Total Cost
	RAIL REHAB & EXPANSION PROJECT			
1	DRAW #1 (FROM ARC/DSA FUNDING)		65,896.68	65,896.68
	<i>Dated 3/31/18</i>			
	<i>Pay & Close</i>			

Total 65,896.68

Received By: Robin R. Poetker Date: 6-19-18

Approved By: *W. Steward* Date: 6-19-18

Indiana Eastern Railroad

INVOICE

Pulling For America

412 West 4th Street
Edwardsville, IL 62025
Phone: (618) 830-6124
Fax: (618) 655-9426

DATE: March 31, 2018
INVOICE # 1159
FOR: Track Rehab

Bill To:

City of Jackson
145 Broadway St.
Jackson, OH 45640-1656

Attn: Robin Poetker

DESCRIPTION	AMOUNT
Request for Payment Bellisio Rail Spur Rehabilitation Governor's Office of Appalachian, State Appalachian Development Program Grant # S-P-17-2CB-1 Costs- February & March 2018: \$94,951.99 Grant Reimbursement Amount- 69.40% of \$94,951.99	\$65,896.68
City of Jackson Participation City Reimbursement Amount- 1.70% of \$94,951.99	\$1,614.18
Detail attached	
TOTAL	\$67,510.86

Make all checks payable to **Indiana Eastern Railroad**
If you have any questions concerning this invoice, contact
George Andres at (618) 830-6124, g.andres@sbcglobal.net

THANK YOU FOR YOUR BUSINESS!