

Sponsor Elliott / Anderson

**RESOLUTION NO. 05-18**

**A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO OMEGA JV5 PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$132,890.46 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 **\$132,890.46** 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 the year end rollover. 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 22<sup>nd</sup> day of January, 2018.

  
\_\_\_\_\_  
President of Council

ATTEST:

  
\_\_\_\_\_  
Clerk of the Legislative Authority

Approved this 22<sup>nd</sup> day of January, 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: 1/19/18  
Warrant #: \_\_\_\_\_  
Line Item #: VARIOUS  
PO #: 2018000018  
Invoice #: 201351 + 201393  
Invoice Date: 1/2/18  
Amount: \$79,100.46 + \$53,790.00  
Vendor Name: OMEGA JV5  
Resolution #: \_\_\_\_\_  
Date & Page in  
City Council  
Minutes: \_\_\_\_\_

**REASON:** YEAR END ROUNDUP

\_\_\_\_\_  
City Auditor

\_\_\_\_\_  
Date Certified