

Sponsor Peters / Foster

RESOLUTION NO. 50-21

A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS FOR PAYMENT TO HOWARD D. SILVER, ESQ. PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$3,057.81 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 \$3,057.81 to Howard D. Silver, Esq. as requested by the issuance of a "then and now" certificate from the City Auditor, as attached hereto; 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 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 and the avoidance of additional charges. 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 13th day of December, 2121.

Daniel D. Fulks
President of Council

ATTEST:

Cindi R. Kuhn
Clerk of the Legislative Authority

Approved this 13th day of December, 2121.

[Signature]
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: December 3, 2021

Line Item #: 110-7740-53022

PO #: 2021001601

Invoice #: NOV. 26. 2021

Invoice Date: November 26, 2021

Amount: \$ 3,057.81

Vendor Name: Howard B. Silver & Co.

Resolution #: _____

Date & Page in
City Council
Minutes: _____

REASON: NO purchase order in place at the time of invoicing.

[Signature]
Requested by & Title

12/3/2021
Date

City Auditor

12-21
Date Certified

City of Jackson

145 Broadway Street
P.O. Box 1090
Jackson, Ohio 45640

PURCHASE ORDER

Page: 1
P.O. Number: 2021001601
P.O. Date: 12/03/2021
Req. Number: 2021-MAYOR-0257-A
Requested By: NANCY DEARING
Blanket Type:
Ship Via:
Terms:

Deliver To MAYOR / SERVICE DIRECTOR'S OFFICE
CITY OF JACKSON
145 BROADWAY STREET
JACKSON, OH 45640

Vendor S00267
HOWARD D. SILVER
74 ALDRICH ROAD
COLUMBUS, OH 43214

TERMS:
CASH DISCOUNTS WILL BE FIGURED FROM DATE ACCOUNTING OFFICE
RECEIVES VENDOR'S INVOICE. By shipping the goods below or by
acknowledging receipt of this order or by performing the work below you agree
to the terms and conditions of sale which appear on the face. Any different or
additional terms in your acceptance of this offer are hereby objected to.

FID# 31-6400229

Line	Description	Account	Qty	Unit	Price/Unit	Amount
001	FACT FINDING SERVICES - TEAMSTER CONTRACT NEGOTIATION	110-7740-53022				\$3,057.81

Page Total: \$3,057.81

Purchase Order Total: \$3,057.81

Auditor's Certificate

It is hereby certified that the amount's specified above required to meet the contract, agreement, obligation, payment of expenditure for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the City Treasury or in process of collection to the credit of the appropriate fund free from any obligation or certificate now outstanding.

Burt E. R... 12-3-21
This order not valid until City Auditor's Certificate is sig Date

Print Form

P.O. Number: 2021001601

REQUISITION FORM

City of Jackson, Ohio

Date: 11/26/2021

Vendor # S00267

Department: Law Director
 Account #: 110-7740-53022
 Vendor: Howard Silver, Esq.
 Address: P.O. Box 14092
 (If New) Columbus, OH 43214

Quantity	Description	Unit Price	Total Cost
1	Fact Finding Services - Teamster Contract Negotiation.	3,057.81	3,057.81

Sub-Total 3,057.81
 Shipping
 Total 3,057.81

Requested By: [Signature] Date: 11/26/2021
 Approved By Service / Safety Director: [Signature] Date: 12/1/21

RECEIVING FORM

City of Jackson, Ohio

Date: 12/3/2021

P.O. Number: 3021001601

Received From: Howard D. Silver S'00267

Quantity	Description	Line #	Unit Price	Total Cost
1	Fact Finding Services -	1	3057.81	3057.81
	Teamsters Contract Negotiations			
	NOV. 26. 2021 Fee Statement			
Total			3057.81	3057.81

Received By: Date: 12/3/2021

Approved By: Date: 12/6/21

STATE OF OHIO
BEFORE THE OHIO STATE EMPLOYMENT RELATIONS BOARD

In the Matter of Fact-Finding : SERB Case Numbers: 2021-MED-05-0794,
 Between the : 2021-MED-05-0795,
 : 2021-MED-05-0796
CITY OF JACKSON, OHIO, :
 Employer : Date of Fact-Finding Hearing:
 and the : October 12, 2021
 :
TEAMSTERS LOCAL UNION 637, : Date of Issuance of Fact Finder's Report
 affiliated with the International : November 26, 2021
Brotherhood of Teamsters, :
 Union : Howard D. Silver, Esquire
 : Fact Finder

FACT FINDER'S FEE STATEMENT:

October 12, 2021 – Preside as Fact Finder at fact-finding hearing-		
one day @ \$950/ day -	\$	950.00
October 12, 2021 – Travel Time		
Columbus – Jackson – 1.75 hrs.		
Jackson – Columbus – 1.75 hrs.		
Total Travel Time 3.50 hrs. @ \$118.75/hr. -	\$	415.62
October 13, 2021 – November 26, 2021 – Review fact-finding hearing record, prepare Fact-Finding Report addressing each unresolved unresolved Article and a recommendation of language for each of the unresolved Articles, file with SERB and serve parties 5.0 days		
@ \$950/day -	\$	4,750.00
Fact Finder's Total Fee	\$	6,115.62

Payable by the City of Jackson, Ohio - \$ 3,057.81

Payable by Teamsters Local Union 637 - \$ 3,057.81

Thank you for this opportunity to serve the parties.

Howard D. Silver

Howard D. Silver, Esquire
 Fact Finder
 P. O. Box 14092
 Columbus, Ohio 43214
hsilver@columbus.rr.com

Columbus, Ohio
 November 26, 2021

