KEVIN D. MALECEK
President of Council

DAVID A. REICHELT
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

Council
CHRISTOPHER L. BIRO
NANCY E. FELLOWS
DAVID M. FIEBIG
FRANK A. GERMANO
RAYMOND C. SOMICH

RESOLUTION NO. 2011-4

A RESOLUTION TO APPROVE A THEN AND NOW CERTIFICATE AND TO AUTHORIZE THE FINANCE DIRECTOR TO DRAW A WARRANT FOR THE ORDERS OR CONTACTS ASSOCIATED WITH SUCH CERTIFICATE.

WHEREAS, the requirements of ORC Section 5705.41(D) state that no orders or contracts involving the expenditure of money are to be made unless there is a certificate of the fiscal officer that the amount required for the order or contract has been lawfully appropriated and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances; and

WHEREAS, ORC Section 5705.41(D) provides an exception that, if the fiscal officer can certify that both at the time that the contract or order was made and at the time that he is completing his certification, sufficient funds were available or in the process of collection to the credit of a proper fund, properly appropriated and free from any previous encumbrance, the taxing authority can authorize the drawing of a warrant. The taxing authority has 30 days from the receipt of such certificates to approve payment by resolution or ordinance.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. The Then and Now Certificate submitted to City Council in accordance with Exhibit A, consisting of one page, attached hereto and incorporated herein by reference shall be approved and that the Finance Director is hereby authorized to draw a warrant for the orders or contracts associated with such certificate.

SECTION 2. The actions of this Council concerning and relating to the passage of legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 3. This Resolution shall be in full force and effect at the earliest time permitted by law.

PASSED: October 27, 2011

Kevin D. Malecek
President of Council

Submitted to the Mayor for his approval
on this 27 day of October, 2011

Approved by the Mayor
October 27, 2011

ATTEST:

Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Mayor