

## RESOLUTION 2016-16

### A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO MAKE PAYMENT ON A CONTRACT WITH FROST BROWN TODD, LLC. AND DECLARING AN EMERGENCY

**WHEREAS**, Frost Brown Todd LLC provides legal services to the Village of Minerva Park; and,

**WHEREAS**, after the services were rendered, the Village received an invoice for which certification of available appropriations and funds by the Village Fiscal Officer had been exceeded; and,

**WHEREAS**, Section 5705.41(D)(1) of the Ohio Revised Code provides that in certain circumstances a subdivision may authorize payment on a contract executed without prior certification by the subdivision's Fiscal Officer; and,

**WHEREAS**, the Village Council now has before it a certification from the Fiscal Officer certifying there was at the time of the making of such order and at the time of the execution of such certificate a sufficient sum was appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances (a "then and now certification"); and,

**WHEREAS**, less than thirty days have passed since the Village Council's receipt of the certificate from the Fiscal Officer; and,

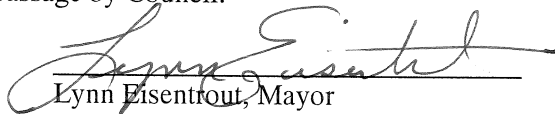
**WHEREAS**, the Village Council desires to satisfy the obligation of that contract.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MINERVA PARK, OHIO, THAT:**

**Section 1.** Village Council hereby acknowledges the receipt of the "then and now certificate" from the Fiscal Officer, and authorizes and directs the Fiscal Officer to pay to Frost Brown Todd, LLC. the amount of \$10,832.88 which is the amount that exceeds prior certifications.

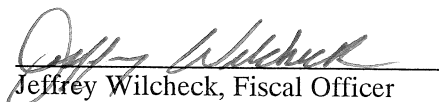
**Section 2.** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and, that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements of the laws of the State of Ohio.

**Section 3.** Council declares this to be an emergency measure necessary for the health, safety and welfare of the residents of Minerva Park, such emergency arising out of the need to promptly pay the outstanding obligation for service provided. WHEREFORE, this Resolution shall take effect and shall be in force immediately upon passage by Council.

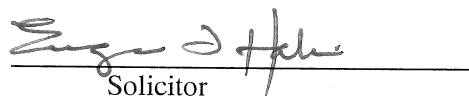
  
Lynn Eisentrout, Mayor

First Reading: May 23, 2016  
Second Reading: Waived  
Third Reading: Waived  
Passed: May 23, 2016

**ATTEST**

  
Jeffrey Wilcheck, Fiscal Officer

**APPROVED AS TO FORM**

  
Solicitor