



RESOLUTION 2023-05

A RESOLUTION AUTHORIZING PURCHASE ORDER TO STRAWSER PAVING CO., INC. PURSUANT TO A "THEN AND NOW" CERTIFICATE IN THE AMOUNT OF \$30,110

WHEREAS, the Finance Director has pending invoices exceeding \$3,000 for services delivered by Strawser Paving Co., Inc. prior to obtaining certification from the fiscal officer that funds were available; and

WHEREAS, section 5705.41 of the Ohio Revised Code (ORC) requires prior certification of the availability of funds for major purposes; and

WHEREAS, the ORC provides an exception allowing retroactive certification when the requisite funds are available both at the time the purchase commitment was made and when payment is due (known as a "then and now certificate"); and

WHEREAS, the Finance Director confirmed that sufficient unencumbered money is and was available both at the time the purchase was made and at the time payment was due for the obligations listed below.

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

NOW THEREFORE BE IT RESOLVED BY THE CITY OF POWELL, COUNTY OF DELAWARE, AND STATE OF OHIO AS FOLLOWS:

Section 1: City Council hereby authorizes and directs the Finance Director to issue the necessary "then and now" certificate as referenced in the whereas clauses.

Section 2: This City Council finds and determines that all formal actions of the City Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this City Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

Section 3: This Resolution shall be in full force and effect immediately upon passage.

[Signature] 2-7-23
Daniel Swartwout Mayor Date

[Signature] 2/7/23
Amy Deere City Clerk Date

EFFECTIVE DATE: February 7, 2022

This legislation has been posted in accordance with the City Charter on this date [Signature] City Clerk