

VILLAGE COUNCIL OF WAKEMAN, OHIO  
ORDINANCE NO. 2023-O-01

TEMPORARY APPROPRIATION MEASURE  
**2023**  
RC 5705.38

AMENDMENT

AN ORDINANCE POSTPONING THE **2023** ANNUAL APPROPRIATION MEASURE AND PROVIDING FOR AN AMENDMENT TO ORD 2022-O-22 TEMPORARY APPROPRIATIONS FOR MEETING ORDINARY EXPENSES AS PROVIDED BY SECTION 5705.38 OF THE OHIO REVISED CODE

WHEREAS, Ohio Revised Code Section 5705.38(A) provides that on or about the first day of each fiscal year, the taxing authority of each subdivision shall pass an appropriation measure, and thereafter during the year it may pass any supplemental appropriation measures as it finds necessary, based on the revised tax budget or the official certificate of estimated resources or amendments of the certificate; and

WHEREAS, Ohio Revised Code Section 5705.38(A) further provides that if the taxing authority of each subdivision desires to postpone the passage of the annual appropriation measure until an amended certificate is received based on the actual balances, it may pass a temporary appropriation measure for meeting the ordinary expenses of the taxing unit until no later than the first day of April; and

WHEREAS, Ohio Revised Code Section 5705.38(C) further provides that appropriation measures shall be classified so as to set forth separately the amounts appropriated for each office, department, and division, and, within each, the amount appropriated for personal services; and

WHEREAS, the Fiscal Officer recommends that the village postpone the passage of the annual appropriation measure until an amended certificate is received based on the actual balances; and

WHEREAS, the Fiscal Officer further recommends that the village pass a temporary appropriation measure for meeting the ordinary expenses of the taxing unit until no later than the first day of April **2023**; and

*WHEREAS, Temporary Appropriations were previously adopted in Ord 2022-O-22 passed the 12<sup>th</sup> day of December, 2022, however, the Fiscal Officer has located a typographical inaccuracy in the "TOTAL OF ALL APPROPRIATIONS" and recommends the passage of this amendment to correct the records.*

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAKEMAN, STATE OF OHIO: (RC 731.18)

SECTION 1: That the passage of the annual appropriation measure is hereby postponed until an amended certificate is received based on the actual balances.

**SECTION 2:** That the Village of Wakeman, Ohio hereby adopts, **AMENDS Ord 2022-O-22**, and passes the following temporary appropriation measure for meeting the ordinary expenses of the village until no later than the first day of April **2023**:

<u>FUND</u>	<u>APPROPRIATIONS</u>
GENERAL (1100)	\$ 166,182.00
STREET CONSTRUCTION, MAINTENANCE & REPAIR (2011)	\$ 24,675.00
STATE HIGHWAY (2021)	\$ 2,200.00
PERMISSIVE MOTOR VEHICLE (2101)	\$ 2,600.00
POLICE LEVY (2131)	\$ 18,075.00
LAW ENFORCEMENT & EDUCATION (2271)	\$ 1,500.00
LAW ENFORCEMENT & EDUCATION (2271)	\$ 900.00
CITIZENS DONATION FUND (2901)	\$ 3,500.00
OPWCIP- CAPITAL PROJECT (4901)	\$ 0.00
SIDEWALK REPAIR/REPLACEMENT (4902)	\$ 0.00
OEPA-WSRLA- CAPITAL PROJECT FUND (4903)	\$ 0.00
WATER-OPERATING (5101)	\$ 92,930.00
WATER-RESERVE AND REPLACEMENT (5102)	\$ 0.00
SEWER-OPERATING (5201)	\$ 82,200.00
SEWER-RESERVE AND REPLACEMENT (5202)	\$ 0.00
<u>GUARANTY DEPOSIT (5781)</u>	\$ 1,900.00
TOTAL OF ALL APPROPRIATIONS:	<b><u>\$ 398,562.00</u></b>
	<b><u>\$ 396,662.00</u></b>

**SECTION 3:** That such amounts temporarily appropriated herein shall be chargeable to the annual appropriation ordinance to be enacted before the first day of April **2023**.

**SECTION 4:** That the Fiscal Officer is hereby authorized to draw warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by the Council authorized by law to approve the same, or an ordinance or resolution for Council to make expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or Ordinance. Provided further that the appropriations for contingencies can only be expended upon appeal of two-thirds vote of Council for items of expense constituting a legal obligation against the Village for purpose other than those covered by specific appropriations herein made

**SECTION 5. DISPENSE WITH THREE READINGS.** [R.C. 731.17(A)(2)] That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days.

**SECTION 6: IMMEDIATE EFFECT.** [RC 731.30] That measures providing for the appropriations for the current expenses of the municipal corporation shall go into immediate effect.

**SECTION 7. PUBLIC MEETING.** That it is found and determined that all formal actions of this public body concerning or relating to the passage of this Resolution / Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open

to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

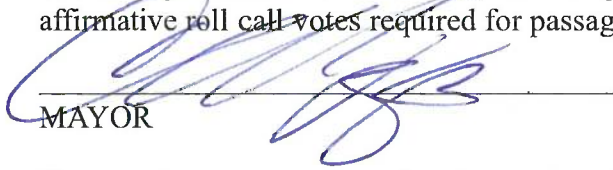
WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 9 day of January, 2023.

AUTHENTICATION and ATTESTATION

(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.

  
MAYOR

  
FISCAL OFFICER

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 5 NAYS: 0 ABSTAIN: 0

First Reading:

Second Reading:

Third Reading:

January 9, 2023  
dispensed  
dispensed

[may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2)]

[may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2)]

APPROVED AS TO FORM:

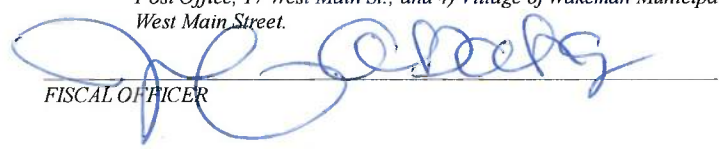
  
Steve Palmer, Village Solicitor

CERTIFICATE OF POSTING

(RC 731.25)

I hereby certify that pursuant to R.C. 731.25, a succinct summary of the above legislation was posted in not less than five of the most public places in the municipal corporation as determined by the legislative authority [see Wakeman Code 123.01] for a period of not less than fifteen days prior to the effective date at the following locations:

1) Wakeman Public Library, 18 East Abbott Street; and 2) Electronically online at official Village website.; and 3) Wakeman Post Office, 17 West Main St.; and 4) Village of Wakeman Municipal Building, 59 Hyde Street; and 5) Mickey Mart, 52 West Main Street.

  
FISCAL OFFICER