

ORDINANCE NO. 2009-10

AN ORDINANCE CORRECTING ORDINANCE 2009-3 SUCH THAT INTEREST EARNINGS IN THE WATER FUND (5101) AND THE SEWER FUND (5201) ARE DIRECTED TO THE GENERAL FUND OF THE VILLAGE OF HIRAM AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Hiram enacted Ordinance 2009-3 which sets forth the Council's decision to allocate interest earned for and between various funds; and

WHEREAS, the Fiscal Officer, in compliance with the direction of the Council as set forth in Ordinance 2009-3, attempted to allocate interest earnings derived from the amounts on deposit within the water fund (5101) and the sewer fund (5201) to those funds and determined that the UAN software would not permit such an allocation; and

WHEREAS, upon inquiry the State Auditor has advised that the previous direction set forth in Ordinance 2009-3 is inappropriate, but only with respect to the interest earnings derived from the amounts in the water fund (5101) and the sewer fund (5201).

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Hiram, Ohio, two thirds or more of the members thereto concurring that:

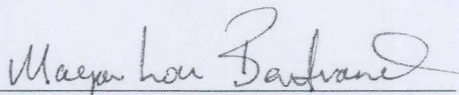
SECTION 1: The Council of the Village of Hiram hereby directs that the interest earnings on the balances shown on the Fund Status report for the Water Fund (5101) and the Sewer Fund (5201) be posted to the General Fund of the Village of Hiram.

SECTION 2: That Ordinance 2009-03 is hereby repealed, but only to the extent Ordinance 2009-3 is inconsistent with this Ordinance 2009-10, and in all other respects Ordinance 2009-3 is hereby ratified.

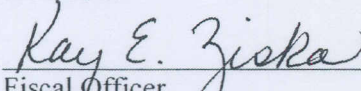
SECTION 3: It is found that all formal action of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of the State of Ohio.

SECTION 4: This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and for the further reason that it is essential to correct the error contained in Ordinance 2009-3 as of the effective date of Ordinance 2009-3, which is April 10, 2009, and for that reason this Ordinance shall take effect as of April 10, 2009.

PASSED IN COUNCIL as an Emergency May 12, 2009


Mayor Louis R. Bertrand

ATTEST:


Fiscal Officer

Approved as to form:


Solicitor

I Kay E. Ziska, Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2009-10 has been duly posted in the required 5 places.
5/18/09 Kay E. Ziska
Date Fiscal Officer, Village of Hiram