

RESOLUTION 2014-13

A RESOLUTION AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS OF NO MORE THAN TWO HUNDRED DOLLARS FOR A RECEPTION FOLLOWING THE MEMORIAL DAY OBSERVANCE ON MAY 26, 2014 AND DECLARING AN EMERGENCY.

WHEREAS, the decision to expend public funds must be memorialized by a duly enacted ordinance or resolution and may have prospective effect only; and

WHEREAS, Auditor of State Bulletin 2003-005 states "the Auditor of State's Office will require that expenditures of public funds for coffee, meals, refreshments, or other amenities have prior authorization by the appropriate legislative authority;" and

WHEREAS, the expenditure of public funds for alcoholic beverages as a proper public purpose is **never** permitted according to the Auditor of State Bulletin 2003-005; and

WHEREAS, Ohio Attorney General Opinion 82-006 cites with approval the Ohio Supreme Court case of State ex rel. McClure v. Hagerman, 155 Ohio St. 320 (1951) to provide guidance as to what may be construed as a public purpose as follows: First, the expenditure is required for the general good of all inhabitants; Secondly, the primary objective of the expenditure is to further a public purpose.

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

Section 1: Mayor Bertrand intends upon hosting a reception for the whole of the community on May 26, 2014 following the Memorial Day Observance at the Garfield Institute on the campus of Hiram College.

Section 2: Light refreshments are to be provided and the public is invited to attend.

Section 3: The Council finds that a reception hosted by the Mayor and to which the general public is invited will advance the good of all of the inhabitants.

Section 4: The Council finds that the expenditure of up to \$200.00 of Village funds for a Mayoral reception for the whole of the Community following the Memorial Day Observance at the Garfield Institute on the Campus of Hiram College furthers the public purpose of advancing the good of all inhabitants

Section 5: That this Resolution be declared an emergency measure becoming immediately effective upon passage by Council and approval by the Mayor the particular emergency being that time is of the essence since the proposed Mayoral Reception will take place before the next meeting of this Council.

Section 6: 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 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.

Passed in Council on May 13, 2014

ATTEST:

Susan J. Skrovan
Fiscal Officer, Susan J. Skrovan
Approved as to form:

Thomas Reitz
Solicitor, Thomas Reitz

Mayor Lou Bertrand
Mayor Lou Bertrand

I SUSAN SKROVAN, Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2014-13 has been duly posted in the required 5 places.

5-14-14 Susan J. Skrovan
Date Fiscal Officer, Village of Hiram