

RESOLUTION 2017-34

A RESOLUTION AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS OF NO MORE THAN TWO HUNDRED DOLLARS FOR A RECEPTION FOLLOWING A SWEARING IN CEREMONY FOR NEWLY ELECTED AND/OR RE-ELECTED OFFICIALS ON DECEMBER 22, 2017 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 December 22, 2017 following the Swearing In Ceremony of newly elected and/or re-elected public officials at the Koritansky Hall 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 Swearing In Ceremony at the Koritansky Hall on the Campus of Hiram College furthers the public purpose of advancing the good of all inhabitants.

Section 5: This Resolution is hereby declared to be an emergency measure, necessary to advance the health, safety and general welfare of the Village and because the Swearing In Ceremony must take place at a time in close proximity to the beginning of the term to be served by the public officials who will be sworn in at the ceremony. The Swearing In Ceremony is scheduled to take place on December 22nd, 2017 and the terms of the affected officials will begin on or about January 1, 2018.

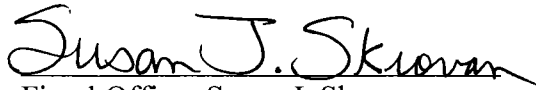
Section 6: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, 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 as an emergency on December 12, 2017.



Mayor Lou Bertrand

ATTEST:



Fiscal Officer Susan J. Skrovan

Approved as to form:



Village Solicitor Thomas Reitz

I SUSAN SKROVAN Fiscal Officer of the
Village of Hiram, Ohio, hereby certify that
the foregoing Resolution ~~or Ordinance~~
No. 2017-34 has been duly posted in the
required 5 places.
12-13-17 Susan J. Skrovan
Date Fiscal Officer, Village of Hiram