

**RESOLUTION NO. 2021-47**

**SPONSOR:** Hudson

**AN RESOLUTION AUTHORIZING THE CITY AUDITOR TO TRANSFER THE UNEXPENDED BALANCES IN FUND 302 THE WASTEWATER RESERVE BALANCE FUND TO FUND 606 THE SEWER FUND AND THEREBY DISSOLVES AND RESCINDS FUND 302 AND DECLARING AN EMERGENCY**

**WHEREAS**, Pursuant to Section 5705.13 of the Ohio Revised Code, the City of Wellston established Fund 302, a Reserve Balance Account entitled Wastewater Reserve Balance Fund, and

**WHEREAS**, Revised Code Section 5705.13 allows the City to rescind the Fund by Resolution, and

**WHEREAS**, the City Auditor has determined that the Fund is no longer necessary and desires to rescind the account, and to transfer the unexpended balances in certain funds to the Sewer Fund, and

**WHEREAS**, the City wishes to transfer the unexpended balance of the Reserve Balance Fund to the Fund 606, the Sewer Fund, and

**WHEREAS**, the Ohio Revised Code Section 5705.13 allows the balance in the Fund to be transferred to the fund from which it was originally transferred, and

**WHEREAS**, there is currently an unexpended balance in the reserve balance fund of \$200,000.00, and

**WHEREAS**, the city Council must approve, by a two-thirds vote, certain transfers pursuant to Ohio Revised Code Section 5705.14, and

**NOW THEREFORE, BE IT ORDAINED** by the Council of the City of Wellston, Jackson County, Ohio, with at least two-thirds of its members concurring:

**Section 1.** The City Auditor is hereby authorized to transfer the total unexpended balance currently held in Fund 302, the Wastewater Reserve Balance, being \$200,000.00, to Fund 606, the Sewer Fund and Fund 302 Wastewater Reserve Fund is, upon said transfer, dissolved and rescinded.

**Section 2.** It is found and determined that all formal actions of the Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all deliberations of the 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 all lawful resolutions and any applicable provisions of Section 121.22 of the Ohio Revised Code.

**Section 3:** This Resolution is hereby declared to be an emergency, necessary for the immediate preservation of the public peace, health or safety of the City of Wellston, in that it is necessary to approve this resolution in order that expenses can be timely paid as incurred and in accordance with the city's obligations. Therefore, this Resolution shall go into effect upon passage and approval by the Mayor, as provided in the Ohio Revised Code Section 731.30.

**PASSED AND ADOPTED** by the legislative authority of the City of Wellston this 19<sup>th</sup> day of August, 2021.

*David McDevlin*  
Council President

ATTEST:

*M. E. Spangle*  
Clerk of Council

Approved this 19<sup>th</sup> day of August, 2021.

*Chris*  
Mayor

Published in accordance with the law on \_\_\_\_\_ and \_\_\_\_\_ and posted 8/24/21 through 9/24/21 at The Store, Wellston City Hall, Wellston Senior Citizens' Center, the Wellston Public Library and the Wellston Post Office.

*M. E. Spangle*  
Clerk of Council