

**VILLAGE OF NEW LEBANON
OF
MONTGOMERY COUNTY, OHIO**

**ORDINANCE NO: 2024-06
BY
MAYOR DAVID NICKERSON**

AN ORDINANCE: TO AUTHORIZE THE TRANSFER OF THE AMOUNTS DESCRIBED HEREIN FROM THE STREET FUND, WATER FUND, AND GENERAL FUND TO THE CONSTRUCTION PROJECTS FUND AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to accurately reflect the amounts necessary to be transferred; and

WHEREAS, Council desires to specifically approve certain transfers in order to help cure the current deficit in the Construction Projects Fund due to Blosser Street and Church Street projects; and

WHEREAS, the transfer amounts below are based on the portions of those projects allocable to street construction, water system, and sewer system improvements and are being transferred proportionally from each of the aforementioned funds; and

WHEREAS, the transfer of money from one fund to another is authorized under Ohio Revised Code Section 5705.14, Village of New Lebanon charter provisions, and, in certain instances, with the additional approval of the Ohio Tax Commissioner pursuant to Ohio Revised Code Sections 5705.15 and 5705.16.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEW LEBANON, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:

SECTION I Council hereby authorized the following transfers in the amounts not to exceed the following:

<u>From</u>	<u>To</u>	<u>Amount</u>
Street Fund	Construction Projects Fund	\$99,061.21
Water Fund	Construction Projects Fund	\$49,613.65
General Fund	Construction Projects Fund	\$1,052.27

SECTION II Upon passage of this Ordinance, Council also hereby directs the City Manager to apply for and seek approval by the Ohio Tax Commissioner pursuant to Ohio Revised Code Sections 5705.15 and 5705.16 for the transfers originating from the Street Fund and Water Fund.

SECTION III It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in

an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

SECTION VI


This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare, and safety and further for the reason that Council desires to avoid a deficit finding by the State Auditor. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED this 3rd day of December, 2024.



David Nickerson, Mayor

Attest:



Robert Anderson II
Acting Clerk of Council

Date:

12/3/24