

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA
ORDINANCE NO. 960

AN ORDINANCE AUTHORIZING THE CLERK-TREASURER OF THE TOWN OF ST. JOHN TO MAKE CERTAIN DISBURSEMENTS FOR NECESSARY OR EMERGENCY PAYMENTS PRIOR TO CONFIRMATION OF CLAIMS.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has been advised of available statutory procedures regarding the approval of claims and payment of certain types of bills and expenses by the Town, and;

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has further been advised that Federal and State Laws obligate an employer to remit employee withholding funds by certain dates which may be prior to the date for formal Council approval of claims; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has further been advised that employee withholding funds are withheld from the gross pay of the employee for distribution to taxing authorities and other persons as directed by the employee; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, is aware that from time to time payments from appropriated funds must be made as an emergency matter prior to formal Council approval of claims in order to insure the normal performance of Town business; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, is additionally aware that from time to time, the Council has accepted a bid, awarded a contract, or made a purchase, and that payment from appropriated funds must be made prior to formal Council approval of claims in order to acquire the product or service; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has determined, after careful review and consideration, that it is necessary and advisable to act to authorize the Town Clerk-Treasurer to make certain disbursements, in conformance with applicable law, for necessary or emergency payments prior to confirmation of claims.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, THAT:

SECTION ONE: That the Town Clerk-Treasurer is hereby authorized and directed to make claim payments in advance of Town Council allowance for the follow types of expenses, namely:

- A. Property or Services purchased or leased from:
 - a) the United States Government; or
 - b) An Agency or a Political Subdivision of the United States Government
- B. License fees or Permit fees

- C. Insurance Premiums
- D. Utility Payments or Utility Connection charges
- E. Federal Grant Programs, if:
 - a) advance funding is not prohibited; and
 - b) the contracting party provides sufficient security for the amount advanced
- F. Grants of State funds authorized by Statute
- G. Maintenance Agreements or Service Agreements
- H. Lease Agreements or Rental Agreements
- I. Principal & Interest Payments on Bonds
- J. Payroll
- K. State, Federal, or County Taxes.

SECTION TWO: That the Town Clerk-Treasurer is hereby authorized and directed to disburse all employee related Federal and State tax obligations at the time required by Federal and State Law, provided, however, that any such disbursement requiring claim approval shall be submitted for confirmation to the Town Council at its next Public Meeting for consideration of claims.

SECTION THREE: That the Town Clerk-Treasurer is hereby authorized and directed to distribute all employee funds withheld from his or her pay in the manner and at the time provided by applicable Federal and State Law, with employee authorization, or as required in the normal course of business. The said funds may include, without limitation, Federal and State Income taxes, Federal Social Security taxes, State Retirement funds, credit union payments, charitable contributions, garnishments, and the like.

SECTION FOUR: That the Town Clerk-Treasurer is hereby authorized and directed to disburse non-taxable funds temporarily or tentatively held by her for payment for a specific purpose or to a specific person, as described hereinabove, in the manner and at the times required by the terms of her receipt of said funds, provided, however, that written notice of the receipt and the disbursement of said funds shall be made to the Town Council, and either approved by the Town Council prior to disbursement, or confirmed by the Council following the disbursement.

SECTION FIVE: That the Town Clerk-Treasurer is hereby authorized and directed to disburse appropriated funds for the above-specifically designated purposes only, prior to emergency matter, and the claim is submitted to the Town Council at its next Public Meeting for consideration of claims.

SECTION SIX: That the Town clerk=Treasurer is hereby authorized and directed to issue drafts and pay checks in the normal course of business to Town employees whose positions and range of pay have been approved by the Town Council without prior approval by the Town Council provided that said payroll data is submitted to the Town Council at the next Public Meeting for consideration of claims.

SECTION SEVEN: That the Town Clerk-Treasurer is hereby authorized and directed to disburse appropriated funds prior to claim approval, provided that said payment is for a product or

service, the bid for which has been accepted by the Town Council, that acceptance of the product or service has been approved by the Town Council, or its delegate, and the claim is submitted to the Town Council for confirmation at its next Public Meeting at which claims are considered.

SECTION EIGHT: That each payment of expenses permitted to be paid pursuant to the terms of this Ordinance, as amended from time to time, in advance of formal Claim approval by the Town Council, shall be completely supported by a fully itemized claim.

SECTION NINE: That nothing herein is intended to relieve the Clerk-Treasurer and the Town Council of their responsibilities and obligations generally required with respect to claims, approval of claims, and disbursement of funds by the Laws of the State of Indiana, and the rules and regulations of the supervising agencies thereof.

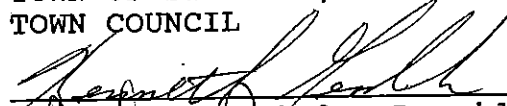
SECTION TEN: That all existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

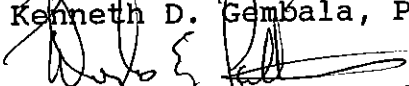
SECTION ELEVEN: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

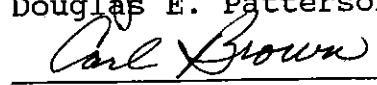
SECTION TWELVE: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John.

PASSED ANY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIAN, THIS 22nd DAY OF August, 1994.

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA,
TOWN COUNCIL


Kenneth D. Gembala, President


Douglas E. Patterson, Vice-President


Carl Brown, Member

ATTEST:


JUDITH V. COMPANIK,
Clerk-Treasurer