

RESOLUTION 2009-26

A RESOLUTION ACKNOWLEDGING AN ERROR IN WATER AND SEWER BILLING, DETERMINING AND ANNOUNCING A DETERMINATION TO FORGIVE THE BALANCE OWED BY CITIZENS AS THE RESULT OF THE UNDERCHARGE

WHEREAS, the Council of the Village of Hiram established water and sewer rates for customers of utilities sold by the Village of Hiram on September 12, 2006 by the Ordinance 2006-21; and

WHEREAS, subsequently the Council of the Village of Hiram determined that an increase in the water rates and sewer rates for customers of utilities sold by the Village of Hiram was needed, and enacted an increase by the passage of Ordinance 2008-23, effective for all water and sewer bills due on or after January 1, 2009; and

WHEREAS, the former billing clerk for the Village of Hiram did not begin charging the increased rates established by the Council of the Village of Hiram by virtue of Ordinance 2008-23 until the billing for July meter readings, which billing is due to be paid by customers on or before September 1, 2009; and

WHEREAS, the Council of the Village of Hiram has determined that it would be a burden to the Village utility customers to pay the increased rate as was enacted by the Council of the Village of Hiram but not charged for the period ending January 1, 2009 and ending on July 31, 2009; and

WHEREAS, the utility department has determined that the loss of revenue to the water fund for the period of the undercharge is \$8,388.15, and the loss to the waste water fund is \$7,202.72.

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

SECTION 1: That it would work an unnecessary and unusual hardship on the customers of the utilities sold by the Village of Hiram to charge, eight months after the fact, the increase in rates established by Ordinance 2008-23, which eight month period covers the months commencing in January, 2009 and ending with the meter reading in July of 2009.

SECTION 2: It is therefore the decision of the Council of the Village of Hiram to not pursue the customers of the utilities sold by the Village of Hiram for the balance of the charges which were not timely billed by the Village of Hiram from January 2009 through the meter reading in July of 2009.

SECTION 3: The Council of the Village of Hiram acknowledges that this decision to not pursue the customers of the utilities of the Village of Hiram results in a loss to the water fund in the amount of \$8,388.15 and will result in a loss to the waste water fund of \$7,202.72.

SECTION 4: 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 the 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 §121.22 of the Revised Code of the State of Ohio.

First Reading: October 13, 2009
Second Reading: November 10, 2009
Third Reading: December 8, 2009

ATTEST:

Kay E. Ziska
Fiscal Officer

Approved as to Form:

Thomas Neely
Solicitor

Mayor Lou Bertrand
Mayor Lou Bertrand

Kay E. Ziska, Fiscal Officer of the
Village of Hiram, Ohio, hereby certify that
the foregoing Resolution or Ordinance
No. 2009-26 has been duly posted in the
required 5 places.

12-9-09 Kay E. Ziska
Date Fiscal Officer, Village of Hiram