

# City of Willoughby Hills

## **ORDINANCE NO. 2016-16 - AMENDED**

**AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2016-3 - AMENDED TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2016 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE ROUTE 91 RESURFACING PROJECT AND REPEALING CONFLICTING LEGISLATION.**

**WHEREAS**, the Members of Council are in receipt of the Interoffice Memo from Finance Director Brichacek dated April 22, 2016, consisting of two (2) pages, attached hereto as the “**Exhibit B**” and referenced herein, said memorandum is a request for an increase in the appropriation of the General Fund No. 110 and the Road Levy Special Revenue Fund No. 270; and

**WHEREAS**, the 2016 approved operating budget provides \$1,319,400 for the City’s share of the construction portion of the Route 91 Resurfacing Project; of this amount, the budget anticipated that \$1,055,500 will be funded by a federal grant and the remaining of \$263,900 would be financed by the resources of the Road Levy Special Revenue Fund; and

**WHEREAS**, the Finance Director has been advised that the engineer has completed the design of the project and based upon that design, the engineer’s current estimate of the City’s share of the project’s construction cost is \$1,669,014, an increase of approximately \$349,700. Since the amount of the federal grant is fixed at \$1,055,500 the City must provide the additional \$349,700, repaying this debt from its own resources for the project to move forward; and

**WHEREAS**, as was discussed during the budget process, the City has two choices to close the project’s funding gap; assuming that the decision to use \$263,900 from the Road Levy Special Revenue Fund’s resources is not changed, the City can either borrow the additional \$349,700, repaying this debt from future year’s budgets, or finance the additional cost from the City’s current available resources (**General Fund Carryover Balance of 12/31/2015**); and

**WHEREAS**, a representative of the County’s Engineer’s Office advised City that the project is currently being advertised for bids; the bid opening is scheduled for May 18<sup>th</sup> and they anticipate analyzing the bids they receive and awarding the contract in either late May or early June at which time the City will have to provide the County with its share of the project funding; and

**WHEREAS**, the attached “**Schedule of 2016 Appropriations – Revision No. 01**” revises the 2016 appropriation of the General Fund No. 110 and the Road Levy Special Revenue Fund No. 270 to provide the funding necessary for the Route 91 Resurfacing Project to move forward.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:**

**SECTION 1.** Section 1 of Ordinance No. 2016-3 – AMENDED is hereby further amended to provide funds for 2016 Operating Budget Revision – Route 91 Resurfacing Project by increasing the appropriation of the General Fund by \$349,700, from \$6,470,700 to \$6,820,400 to provide for a \$349,700 transfer from the General Fund No. 110 to the Road Levy Special Revenue Fund No. 270; increasing the appropriation of the Road Levy Special Fund No. 270 by \$349,700 from \$1,958,400 to \$2,308,100, to provide for an increase in the budget of the Route 91 Resurfacing Project from \$1,319,400 to \$1,669,100 in accordance with the Interoffice

Memo from Finance Director Brichacek dated April 22, 2016 consisting of two (2) pages, attached hereto as the "Exhibit B" and as referenced herein.

**SECTION 2.** The abovementioned sum as reflected in the "Schedule of 2016 Appropriations – Revision No. 01", prepared April 22, 2016, marked as the "Exhibit A", attached hereto, consisting of five (5) pages and incorporated herein by reference, be and hereby is set aside and appropriated hereafter.

**SECTION 3.** All monies in the Trust & Agency Funds Accounts are hereby deemed appropriated for their intended purposes.

**SECTION 4.** All expenditures within the fiscal year ending December 31, 2016 shall be made in accordance with the code accounts hereinabove set forth and shall be made within the appropriations herein provided. "Appropriation" as used means the total amount appropriated for the individual fund. Notwithstanding the financial detail herein presented, the Mayor or the Finance Director is authorized to transfer budgeted amounts within each fund provided that the total amount appropriated for the fund is not exceeded.

**SECTION 5.** The City Finance Director be and is hereby authorized and directed to draw his warrants against the appropriations set forth upon presentation of proper vouchers.

**SECTION 6.** All Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

**SECTION 7.** The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

**SECTION 8.** This Ordinance shall be in full force and effect at the earliest time permitted by law.

PASSED: May 26, 2016

Nancy E. Fellows  
Nancy E. Fellows  
President of Council Pro-tem

Submitted to the Mayor for his approval  
on this 26 day of May, 2016

Approved by the Mayor  
May 27, 2016

ATTEST  
Victoria Ann Savage  
Victoria Ann Savage, CMC  
Clerk of Council

Robert M. Weger  
Robert M. Weger  
Mayor