

NANCY E. FELLOWS  
President of Council

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Vice President of Council

VICTORIA ANN SAVAGE, CMC  
Clerk of Council

# City of Willoughby Hills

Council  
CHRISTOPHER L. BIRO  
DAVID M. FIEBIG  
JENNIFER SOMMERS GREER  
CHRISTOPHER HALLUM  
JANET R. MAJKA

## **ORDINANCE NO. 2016-32**

**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 BISHOP ROAD TRAFFIC CONTROL BOX REPLACEMENT AND REPEALING CONFLICTING LEGISLATION.**

**WHEREAS**, the Members of Council are in receipt of the Interoffice Memo from Finance Director Brichacek dated May 26, 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 Street Construction, Maintenance & Repair Special Revenue Fund No. 250; and

**WHEREAS**, a traffic accident occurred yesterday, May 25, 2016 near the intersection of Bishop and Eddy Roads which resulted in the destruction of a traffic control box and the equipment located inside the box; and

**WHEREAS**, the Street Superintendent estimates the cost of repairing/replacing the damaged traffic control box and equipment to be in the range of \$40,000 to \$50,000; and

**WHEREAS**, the damaged equipment will be repaired by and/or purchased from a single vendor, Signal Service Company; and

**WHEREAS**, the City will pursue reimbursement for the cost of this repair from either the driver or the driver’s insurance company. If reimbursement is not received from the driver or the driver’s insurance company, the City will make a claim with the City’s insurance carrier; and

**WHEREAS**, the Street Construction, Maintenance & Repair Special Revenue Fund No. 250 has sufficient unappropriated resources to finance the cost of this repair until the City is reimbursed by insurance; and

**WHEREAS**, the attached “**Schedule of 2016 Appropriations – Revision No. 02**” revises the 2016 appropriation of the Street Construction, Maintenance and Repair Special Revenue Fund No. 250 to provide the funding necessary for the immediate repair/replacement of the traffic control box and equipment that was damaged/destroyed in the May 25<sup>th</sup> traffic accident.

***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 Revisions – Bishop Road Traffic Control Box Replacement by increasing the appropriation of the Street Construction, Maintenance and Repair Special Revenue Fund No. 250 by \$50,000, from \$1,159,000 to \$1,209,000 to provide the funding necessary for the immediate repair/replacement of the traffic control box and equipment that was damaged/destroyed in the May 25<sup>th</sup> traffic accident. The unappropriated available fund balance of this fund is sufficient to provide financing for this project until reimbursement is received from the driver or the driver’s insurance company.

**SECTION 2.** The abovementioned sum as reflected in the “**Schedule of 2016 Appropriations – Revision No. 02**”, prepared May 26, 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 26, 2016

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

Robert M. Weger  
Robert M. Weger  
Mayor