

# City of Willoughby Hills

## ORDINANCE NO. 2016-39

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### **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 WALMART BULLET PROOF VEST GRANT AND ESTATE TAX COLLECTION FEES AND REPEALING CONFLICTING LEGISLATION.**

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**WHEREAS**, the Members of Council are in receipt of the Interoffice Memo from Finance Director Brichacek dated July 8, 2016, consisting of two (2) pages, attached hereto as the “**Exhibit B**” and referenced herein, said memorandum is a request for (1) an increase in the appropriation of the Fire Department Capital Equipment Fund No. 444 by \$1,000 to provide for the acquisition of a ballistic vest and helmet financed by a grant from Walmart; (2) an increase in the appropriation of the Capital Improvement Fund No. 420 by \$2,000 to provide for Estate Tax Administration Fees charged to the City by the Lake County Auditor; and

**WHEREAS**, the Fire Department applied to Walmart for a \$2,000 grant to purchase two sets of ballistic vests and helmets to use in tactical situations they respond to; Walmart awarded the City a \$1,000 grant for this purpose; and

**WHEREAS**, the grant funds were credited to the Fire Department Capital Equipment Fund No. 444 and in order for the Fire Department to expend the grant funds received, Council must first appropriate the money for expenditure; and

**WHEREAS**, the City received approximately \$16,3000 in Estate Tax revenue from Lake County Auditor from estates which closed prior to the State of Ohio eliminating the Estate Tax; and

**WHEREAS**, the County Auditor deducted approximately \$2,000 in fees for the cost of administering the Estate Tax; as the 2016 Operating Budget did not anticipate receiving any Estate Tax revenue, the budget did not include any allocation for this expense; and

**WHEREAS**, to date the City has received \$4,500 from the sale of surplus equipment and this revenue has been credited to the City’s Capital Improvement Fund No. 420; the 2016 Operating Budget did provide for this resource; and

**WHEREAS**, in addition to the requested appropriation change, the Finance Director will request that the Lake County Budget Commission increase the estimated resources of the Fire Department Capital Equipment Fund No. 444 by \$1,000 from \$100,584 to \$101,584, the amount of the grant received from Walmart and that the estimated resources of the Capital Improvement Fund No. 420 be increased by \$10,800 from \$157,950 to \$178,750 to reflect the revenue received to date from the Estate Tax (\$16,300) and the sale of surplus equipment (\$4,500).

***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 the following 2016 Operating Budget Revisions:

(1) Increasing the appropriation of the Fire Department Capital Equipment Fund No. 444 by \$1,000, from \$93,200 to \$94,200 to provide for the acquisition of a ballistic vest and helmet financed by a grant from Walmart;

(2) Increasing the appropriation of the Capital Improvement Fund No. 420 by \$2,000 from \$155,000 to \$157,000 to provide for Estate Tax Administration Fees charged to the City by the Lake County Auditor.

**SECTION 2.** The abovementioned sums as reflected in the “**Schedule of 2016 Appropriations – Revision No. 03**”, prepared July 8, 2016, marked as the “**Exhibit A**”, attached hereto, consisting of five (5) pages and incorporated herein by reference, be and hereby are set aside and appropriated hereafter.

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

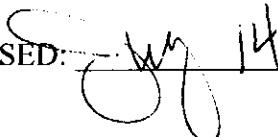
**SECTION 4.** All expenditures within the fiscal year ending December 31, 2016 shall be made in accordance with the code accounts hereinabove set forth and shall be made within the appropriations herein provided. “Appropriation” as used means the total amount appropriated for the individual fund. Notwithstanding 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.

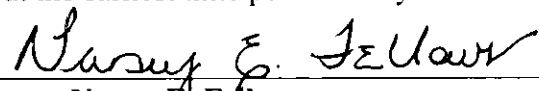
**SECTION 5.** The City Finance Director be and is hereby authorized and directed to draw his warrants against the appropriations set forth upon presentation of proper vouchers.


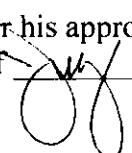
**SECTION 6.** All Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

**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.

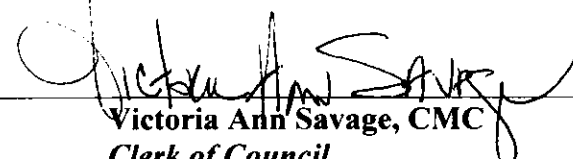
**SECTION 8.** This Ordinance shall be in full force and effect at the earliest time permitted by law.

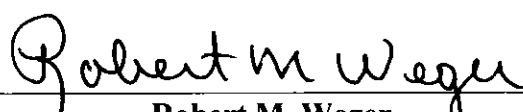
PASSED: , 2016

  
Nancy E. Fellows  
President of Council Pro-tem

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

Approved by the Mayor  
July 15, 2016

ATTEST:  
  
Victoria Ann Savage, CMC  
Clerk of Council

  
Robert M. Weger  
Mayor