

RAYMOND C. SOMICH
President of Council

NANCY E. FELLOWS
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
JOHN PLECNIK

ORDINANCE NO. 2015-34

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2015-15 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2015 OPERATING BUDGET REVISIONS TO PROVIDE ADDITIONAL FUNDING FOR THE TIMBERLINE DRIVE CROSSOVER DRAINAGE PIPE REPLACEMENT PROJECT AND REPEALING CONFLICTING LEGISLATION.

WHEREAS, the Members of Council are in receipt of the Interoffice Memo from Finance Director Brichacek dated July 23, 2015, consisting of five (5) pages, attached hereto as the “**Exhibit B**” and referenced herein, said memorandum requested that the appropriation of the Street Construction, Maintenance & Repair Fund #250 be increased by a total of **\$22,300** to finance storm water projects with **\$5,400 specifically allocated for the Timberline Drive Crossover Drainage Pipe Replacement Project**; and

WHEREAS, application had been made to the Lake County Stormwater Management Department (LCSMD) for grants to finance the following three projects: Curtis Wright Parkway Storm Sewer Catch Basin Replacement - \$8,800; **Timberline Drive Crossover Drainage Pipe Replacement - \$5,400**; Pine Valley Outfall Dredging - \$8,100; and

WHEREAS, the Timberline Drive Crossover Drainage Pipe Replacement Project involves the replacement of 40 feet of steel stormwater drainage pipe that runs in an east/west direction under Timberline Drive. The pipe is buried approximately eight (8) feet below the street; the pipe has rotted through; and

WHEREAS, the leakage from the rotted pipe has caused a three foot sinkhole to develop under the surface of the road, causing the roadway to collapse and because of the danger of further erosion undermining the road surface, it is imperative that this damage be repaired as soon as possible; and

WHEREAS, the Lake County Stormwater Management Department has approved this project for funding.

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. 2015-15 is hereby amended to provide additional funding for 2015 Operating Budget Revision – Street Construction, Maintenance & Repair Fund #250 for the **Timberline Drive Crossover Drainage Pipe Replacement Project** by **increasing the appropriation of the Street Construction, Maintenance & Repair Fund #250 by \$5,400 from \$1,935,000 to \$1,940,400** pursuant to the Interoffice Memo from Finance Director Brichacek dated July 23, 2015, consisting of five (5) pages, attached hereto as the “**Exhibit B**” and as referenced herein.

SECTION 2. The abovementioned sum(s) included in the “**Schedule of 2015 Appropriations – Revision No. 03**”, prepared July 23, 2015, 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, 2015 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 take effect at the earliest time permitted by law.

PASSED: July 23, 2015

Raymond C. Somich
Raymond C. Somich
President of Council

Submitted to the Mayor for his approval
on this 23 day of July, 2015

Approved by the Mayor
July 23, 2015

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

Robert M. Weger
Robert M. Weger
Mayor