

DAVID A. REICHEL  
President of Council

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Clerk of Council

# City of Willoughby Hills

Council  
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DAVID M. FIEBIG  
FRANK A. GERMANO  
KEVIN D. MALECEK  
RAYMOND C. SOMICH

## ORDINANCE NO. 2012-47

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### **AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2012-13 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.**

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**WHEREAS**, on March 22, 2012, the Council of the City of Willoughby Hills adopted Ordinance No. 2012-13 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2012 through December 31, 2012; and

**WHEREAS**, on June 14, 2012, the Council of the City of Willoughby Hills adopted Ordinance No. 2012-30 amending Section 1 of Ordinance No. 2012-13 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2012 through December 31, 2012; and

**WHEREAS**, on July 26, 2012, the Council of the City of Willoughby Hills adopted Ordinance No. 2012-39 amending Section 1 of Ordinance No. 2012-13 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2012 through December 31, 2012; and

**WHEREAS**, on August 14, 2012, the Council of the City of Willoughby Hills adopted Ordinance No. 2012-40 amending Section 1 of Ordinance No. 2012-13 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2012 through December 31, 2012; and

**WHEREAS**, on September 13, 2012, the Council of the City of Willoughby Hills adopted Ordinance No. 2012-45 amending Section 1 of Ordinance No. 2012-13 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2012 through December 31, 2012; and

**WHEREAS**, the City has been fortunate to receive another grant from the Lake County Stormwater Management Department (LCSMD); and

**WHEREAS**, said Grant in the amount of \$15,750 will finance the full cost of a stormwater drainage improvement project on River Road; funds will be used to perform ditch cleaning and erosion control measures within the drainage channel along River Road; and

**WHEREAS**, pursuant to the Interoffice Memo from Acting Director Debbie Doles dated September 25, 2012, consisting of four (4) pages, attached hereto as “**Exhibit B**” and referenced herein states that this ordinance will increase the appropriations of the Street Construction Maintenance and Repair Special Revenue Fund No. 250 to allow for the implementation of the LCSMD Stormwater Management Grant; and

**WHEREAS**, the Acting Finance Director will be requesting the County Budget Commission to increase the City’s 2013 Certificate of Estimated Resources by \$15,000 based upon the LCSMD grant award.

**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. 2012-13, as amended by Ordinance No. 2012-30, as amended by Ordinance No. 2012-39, and as amended by Ordinance No. 2012-40, and as amended by Ordinance No. 2012-45 is hereby amended to increase the appropriations of the Street Construction, Maintenance and Repair Special Revenue Fund No. 250 to allow for the implementation of the LCSMD Stormwater Management Grant.

**SECTION 2.** The attached *Schedule of 2012 Appropriations, Revision No. 5* increases the appropriations of the Street Construction, Maintenance and Repair Special Revenue Fund No. 250 to allow for the implementation of this LCSMD Stormwater Management Grant for a project not included in the 2012 Operating Budget.

**SECTION 3.** The abovementioned sum as reflected in the **Schedule of 2012 Appropriations – Revision No. 5**, marked as “**Exhibit A**”, attached hereto, consisting of five (5) pages and incorporated herein by reference, be and hereby is set aside and appropriated hereafter.

**SECTION 4.** All monies in the Trust & Agency Funds Accounts are hereby deemed appropriated for their intended purposes.

**SECTION 5.** All expenditures within the fiscal year ending December 31, 2012 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 6.** 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 7.** All Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

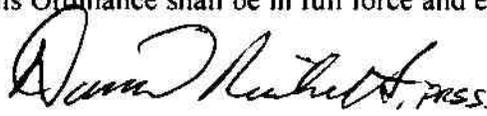
**SECTION 8.** The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

**SECTION 9.** This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the Finance Department and further reason being to immediately increase the appropriations of the Street Construction, Maintenance and Repair Special Revenue Fund No. 250 to allow for the implementation of the LCSMD Stormwater Management Grant in order for the City to perform ditch cleaning and culvert removal/replacement to alleviate flooding along Route 6 that occurs periodically during heavy rain storms that result in partial lane closure.; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

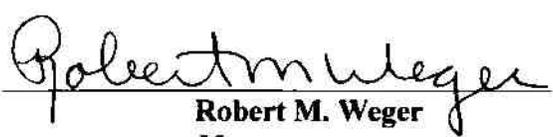
PASSED: October 11, 2012

Submitted to the Mayor for his approval on this 11 day of October, 2012

ATTEST:  
  
Victoria Ann Savage, CMC  
Clerk of Council

  
David A. Reichelt  
President of Council

Approved by the Mayor  
October 11, 2012

  
Robert M. Weger  
Mayor