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Clerk of Council

City of Willoughby Hills

Council
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ORDINANCE NO. 2012-54

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.

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, on October 11, 2012, the Council of the City of Willoughby Hills adopted Ordinance No. 2012-47 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, as has been previously reported, the City has been fortunate to receive two grants to finance a stormwater retrofit project at the Community Center; and

WHEREAS, one Grant in the amount of \$80,750 a OEPA SWIF Grant to fund the design and installation of permeable pavement and signage at the Community Cener, construction management, stormwater managment educational services and materials and grant management; and

WHEREAS, the other Grant in the amount of \$8,415 a CRWP Subgrant from the CRWP's National Estuarine Research Reserve System (NERRS) Science Collaborative Grant to finance the design engineering of best stormwater management practices at the Community Center as a component of the SWIF Grant Demonstration Project; and

WHEREAS, pursuant to the Interoffice Memo from Finance Director Frank J. Brichacek dated November 2, 2012, consisting of one (1) page, 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 by \$89,200 to allow for the implementation of the SWIF Grant Demonstration Project for this project was not included in the 2012 Operating Budget; and

WHEREAS, in addition to the SWIF Project appropriation, this Ordinance corrects a financial clerical error; that being a failure to include a transfer of \$151,000 from the Safety Forces Special Revenue Fund No. 234 to the Fire Levy Special Revenue Fund No. 240 that was included in the original 2012 Operating Budget that was approved by City Council's adoption of Ordinance No. 2012-13; and

WHEREAS, the Finance Director will be requesting the County Budget Commission to increase the City's 2013 Certificate of Estimated Resources by \$89,200 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, and as amended by Ordinance No. 2012-47 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 two grants to finance a Stormwater Retrofit Project at the Community Center.

SECTION 2. The attached *Schedule of 2012 Appropriations, Revision No. 6* increases the appropriations of the Street Construction, Maintenance and Repair Special Revenue Fund No. 250 by \$89,200 to allow for the implementation of two grants to finance a Stormwater Retrofit Project at the Community Center.

SECTION 3. The abovementioned sum as reflected in the **Schedule of 2012 Appropriations – Revision No. 6**, 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 two grants to finance a Stormwater Retrofit Project at the Community Center; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: November 8, 2012

Submitted to the Mayor for his approval
on this 8 day of November, 2012

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

David A. Reichelt

David A. Reichelt
President of Council

Approved by the Mayor

November 8, 2012

Robert M. Weger

Robert M. Weger
Mayor