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Clerk of Council

City of Willoughby Hills

Council
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FRANK A. GERMANO
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ORDINANCE NO. 2012-59

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, on November 8, 2012, the Council of the City of Willoughby Hills adopted Ordinance No. 2012-54 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 attached schedule increases the appropriation of the City's Capital Improvement Fund No. 420 to provide \$45,000 for the acquisition and equipping of a used vehicle to be used primarily for snowplowing and salting of City streets and other public works activities and to provide \$60,000 for the upgrade of the City's financial accounting software; and

WHEREAS, pursuant to the Interoffice Memo from Finance Director Frank J. Brichacek dated December 7, 2012, consisting of one (1) page, attached hereto as "**Exhibit B**" and referenced herein states that this ordinance will increase the appropriations of the City's Capital Improvement Fund No. 420 by \$105,000; \$45,000.00 to allow for the acquisition and equipping of a used vehicle to be used primarily for snowplowing and salting of City streets and other public works activities and to provide \$60,000 for the upgrade of the City's financial accounting software both expenses were not included in the 2012 Operating Budget; and

WHEREAS, the Finance Director will be requesting the County Budget Commission to increase the amount included for the Capital Fund in the City's 2013 Certificate of Estimated Resources by \$489,900. The current certificate anticipated that \$20,000 would be received in 2012 from the Estate Tax that is levied by the State of Ohio and shared with the State's local governments. To date, the City has received approximately \$508,300 in Estate Tax revenue. It should be noted that the State of Ohio will no longer be levying this tax after December 31, 2012.

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, and as amended by Ordinance No. 2012-54 is hereby amended to increase the appropriations of the Capital Improvement Fund No. 420 to allow for the acquisition and equipping of a used vehicle to be used primarily for snowplowing and salting of City streets and other public works activities and to provide for the upgrade of the City's financial accounting software both expenses were not included in the 2012 Operating Budget; and

SECTION 2. The attached *Schedule of 2012 Appropriations, Revision No. 7* increases the appropriations of the Capital Improvement Fund No. 420 by \$105,000 to allow for the acquisition and equipping of a used vehicle to be used primarily for snowplowing and salting of City streets and other public works activities and to provide for the upgrade of the City's financial accounting software both expenses were not included in the 2012 Operating Budget; and

SECTION 3. The abovementioned sum as reflected in the **Schedule of 2012 Appropriations – Revision No. 7**, 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.

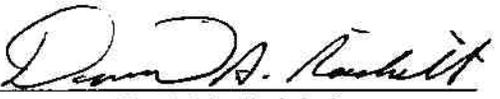
SECTION 6. The City Finance Director be and is hereby authorized and directed to draw his warrants against the appropriations set forth upon presentation of proper vouchers.

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.

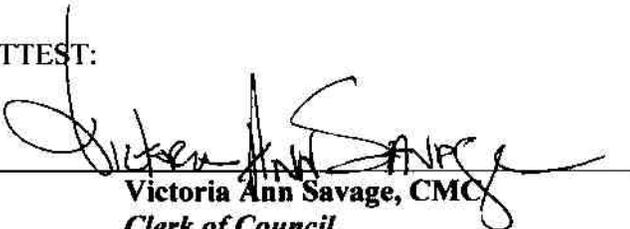
SECTION 9. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the Finance Department and further reason being to immediately increase the appropriations of the Capital Improvement Fund No. 420 to allow for the acquisition and equipping of a used vehicle to be used primarily for snowplowing and salting of City streets and other public works activities and to provide for the upgrade of the City's financial accounting software expenses which were not included in the 2012 Operating Budget; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

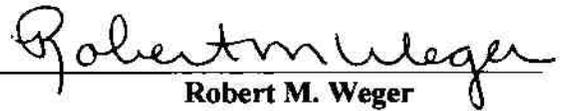
PASSED: December 13, 2012


David A. Reichelt
President of Council

Submitted to the Mayor for his approval
on this 13 day of December, 2012

Approved by the Mayor
December 13, 2012

ATTEST:

Victoria Ann Savage, CMC
Clerk of Council


Robert M. Weger
Mayor