

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  
FRANK A. GERMANO  
CHRISTOPHER HALLUM  
JOHN PLECNIK

## **ORDINANCE NO. 2014-16 – AS AMENDED**

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**AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2013-43 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR BY PROVIDING FOR 2014 OPERATING BUDGET REVISIONS SPECIFICALLY FOR THE EDDY ROAD STORM SEWER OVERFLOW SWALE PROJECT AND REPEALING CONFLICTING LEGISLATION.**

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**WHEREAS**, on December 30, 2013, the Council of the City of Willoughby Hills adopted Ordinance No. 2013-43 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2014 through December 31, 2014; and

**WHEREAS**, on January 23, 2014 the Council of the City of Willoughby Hills adopted Ordinance No. 2014-5 amending Section 1 of Ordinance No. 2013-43 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2014 through December 31, 2014; and

**WHEREAS**, on February 13, 2014 the Council of the City of Willoughby Hills adopted Ordinance No. 2014-15 amending Section 1 of Ordinance No. 2013-43 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2014 through December 31, 2014; and

**WHEREAS**, on February 13, 2014 the Council of the City of Willoughby Hills adopted Ordinance No. 2014-18 amending Section 1 of Ordinance No. 2013-43 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2014 through December 31, 2014; and

**WHEREAS**, Ordinance No. 2014-11 amended Section 1 of Ordinance No. 2013-43 by providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2014 through December 31, 2014; and

**WHEREAS**, Ordinance No. 2014-12 amended Section 1 of Ordinance No. 2013-43 by providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2014 through December 31, 2014; and

**WHEREAS**, Ordinance No. 2014-13 amended Section 1 of Ordinance No. 2013-43 by providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2014 through December 31, 2014; and

**WHEREAS**, pursuant to the Interoffice Memo from Finance Director Brichacek dated February 7, 2014, consisting of two (2) pages, attached hereto as **Exhibit “B”** and referenced herein stating that this ordinance would provide for the following appropriation revision: Increasing the appropriation of the Street Construction, Maintenance and Repair Special Revenue Fund No. 250 to provide for the full cost of the Eddy Road Storm Sewer Overflow Swale Project; City received notification from two residents (36401 and 36341 Eddy Road) of unusual basement flooding problems, upon investigation of the complaint, it was determined that approximately 20 feet of the 36” storm sewer had collapsed. Because of the nature of the problem and the fact that the LCSMD had approved the project for funding, the Service Department was authorized to immediately proceed with the repair; and

**WHEREAS**, on February 20, 2014 the Finance Director submitted a revised *Schedule of 2014 Appropriations*, marked as the **REVISED EXHIBIT “A”**; and

**WHEREAS**, the Council accepts the recommendation of the Finance Director to revise the City’s 2014 Certificate of Estimated Resources by requesting that the County Budget Commission increase the estimated resources of the Street Construction, Maintenance and Repair Special Revenue Fund No. 250 by \$17,000 to provide for a Grant from the Lake County Stormwater Management Department to fund the Eddy Road Storm Sewer Overflow Swale Project.

***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. 2013-43 as amended by Ordinance No. 2014-5, as amended by Ordinance No. 2014-15, as amended by Ordinance No. 2014-18, as amended by Ordinance No. 2014-11, as amended by Ordinance No. 2013-12, as amended by Ordinance No. 2014-13 is hereby amended to provide funds for 2014 Operating Budget Revisions – Eddy Road Storm Sewer Overflow Swale Project by increasing the appropriation of the Street Construction, Maintenance and Repair Special Revenue Fund No. 250 by \$17,000, from \$898,700 to \$915,700.

**SECTION 2.** The abovementioned sums as reflected in the “**Schedule of 2014 Appropriations – Revision No. 7”**, marked as the **REVISED 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, 2014 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: March 13, 2014

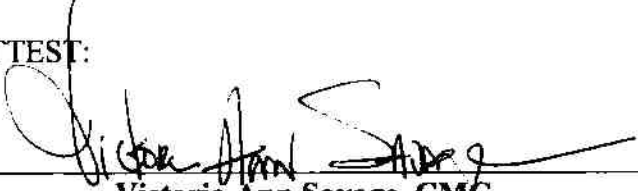
  
**Raymond C. Somich**  
*President of Council*

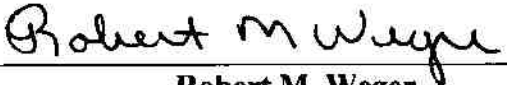
Submitted to the Mayor for his approval  
on this 13 <sup>14th</sup> day of March, 2014

Approved by the Mayor

March 17, 2014

ATTEST:

  
**Victoria Ann Savage, CMC**  
*Clerk of Council*

  
**Robert M. Weger**  
*Mayor*