

City of Willoughby Hills

ORDINANCE NO. 2014-30

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 CLASSIC TIF CAPITAL PROJECT FUND NO. 423 AND REPEALING CONFLICTING LEGISLATION.

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, the Members of Council are in receipt of the Interoffice Memo from Finance Director Brichacek dated April 3, 2014, consisting of one (1) page, attached hereto as the **Exhibit "A"** and referenced herein, said memorandum is a request for an increase in the appropriation of the Classic TIF Capital Project Fund No. 423 of \$6,100, from \$102,000 to \$108,100, to provide for the following items that were not included in the adopted 2014 Operating Budget:

- **\$1,500** – To provide for fees charged by Lake County for the collection of the Tax Increment Financing payments in lieu of taxes. This item was mistakenly left out of the adopted 2014 Operating Budget;
- **\$4,600** – The final payment to the Ohio Department of Transportation (ODOT) for the improvements to SOM Center Road as part of the Classic TIF Project; and

WHEREAS, In 2008 as part of the Classic TIF Project, the City entered into Agreement with ODOT to fund the reconstruction of .17 miles of SOM Center Road including:

- The addition of a northbound right turn lane and a southbound left turn lane;
- Resurfacing the road;
- Drainage improvements;
- Installation of a new traffic signal at the SOM/Classic Drive/Corporate 90 Drive intersection;
- Interconnection of the new signal to signals at the interchange, preemption and traffic controller update;
- Preemption at various signals in the Cities of Willoughby Hills and Willoughby; and

WHEREAS, the City agreed to fund the portion of the cost of the State managed project that was not covered by Federal or State Funding; the final cost of this project was \$879,634.54; and

WHEREAS, ODOT received \$804,420.17 in Federal Funding for the project, this left the City to fund \$71,214.37; based upon the estimated cost of the project, the City in 2010 paid the State \$66,684.00 as a deposit on this project resulting in a final balance of \$4,530.37; and

WHEREAS, Finance Director explained in his Interoffice Memo of April 3, 2014, that the Ohio Department of Transportation (ODOT) issued a final bill to the City and demanded payment within thirty days or it would cut off consideration of future funding to the City until the bill was paid; because the City had funding requests pending with ODOT, he determined that the amount billed was the City's liability, and he authorized payment of the bill; and

WHEREAS, the project was funded by TIF payments and as such the final liability was paid from the TIF Capital Project Fund; should this appropriation revision not be approved, the payment will be charged to the Road Levy Special Revenue Fund No. 270 – Construction Budget.

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 is hereby amended to provide funds for 2014 Operating Budget Revision – Classic TIF Capital Project Fund No. 423 by **increasing the appropriation of the Classic TIF Capital Project Fund No. 423 by \$6,100, from \$102,000 to \$108,100** in accordance with the Interoffice Memo from Finance Director Brichacek dated April 3, 2014, consisting of one (1) page, attached hereto as the **Exhibit "A"** and as referenced herein.

SECTION 2. The abovementioned sum as reflected in **SECTION 1** 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: May 8, 2014

Raymond C. Somich
Raymond C. Somich
President of Council

Submitted to the Mayor for his approval
on this 9th day of May, 2014

Approved by the Mayor
May 13, 2014

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Robert M. Weger
Mayor