

# City of Willoughby Hills

## **ORDINANCE NO. 2014-44**

**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 DODD/EAGLE NEST ROADS DRAINAGE PROJECT AND REPEALING CONFLICTING LEGISLATION.**

**WHEREAS**, the Members of Council are in receipt of the Interoffice Memo from Finance Director Brichacek dated June 5, 2014, consisting of two (2) pages, attached hereto as the **Exhibit "A"** and referenced herein, said memorandum is a request for an increase in the appropriation of the Street Construction, Maintenance & Repair Fund #250 of \$37,500, from \$980,900 to \$1,018,400, to provide for the cost of installing 660 linear feet of 24" perforated pipe with stone cover and landscape restoration on Dodd Road near Eagle Nest Road to eliminate flooding of the roadway and surrounding properties during rain events; and

**WHEREAS**, Street Superintendant Nate Catania has made application to the Lake County Stormwater Management Department for a grant to fully finance this project; and

**WHEREAS**, Street Superintendant Nate Catania has requested that the Three Reading Rule be waived relative to this Ordinance and that it be enacted on First Reading due to the property damage that is caused each time flooding occur; and

**WHEREAS**, Finance Director stated in his Interoffice Memo of June 5, 2014, that in addition to the requested appropriation change, he will be requesting that the Lake County Budget Commission increase by \$37,500 the estimated resources of the Street Construction, Maintenance & Repair Special Revenue Fund No. 250 once the City is notified that the grant has been awarded; and

**WHEREAS**, the Finance Director further stated that if the grant is not awarded to the City, this project would not be undertaken.

***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 – Dodd/Eagle Nest Roads Drainage Project by **increasing the appropriation of the Street Construction, Maintenance & Repair Fund #250 of \$37,500, from \$980,900 to \$1,018,400** in accordance with the Interoffice Memo from Finance Director Brichacek dated June 5, 2014, consisting of two (2) pages, 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: July 10, 2014



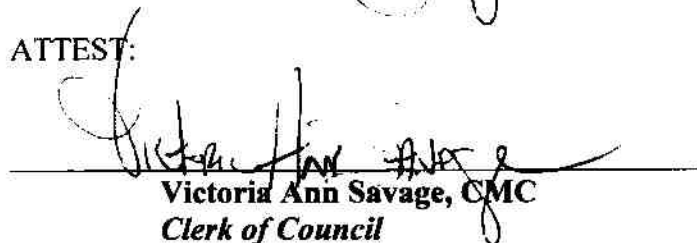
**Raymond C. Somich**  
**President of Council**

Submitted to the Mayor for his approval  
on this 10 day of July, 2014

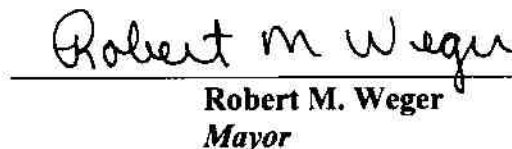
Approved by the Mayor

July 10, 2014

ATTEST:



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



**Robert M. Weger**  
**Mayor**