

City of Willoughby Hills

ORDINANCE NO. 2014-51

AN ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO CLOSE THE MOTOR VEHICLE LICENSE TAX SPECIAL REVENUE FUND NO. 255 AS OF JULY 31, 2014; ANY REMAINING EQUITY IN THE MOTOR VEHICLE LICENSE TAX SPECIAL REVENUE FUND AS OF SUCH DATE SHALL BE TRANSFERRED TO THE STREET CONSTRUCTION, MAINTENANCE AND REPAIR SPECIAL REVENUE FUND NO. 250; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

WHEREAS, in 2003, the City made the decision by the adoption of Ordinance No. 2003- 22 to levy an additional \$5.00 fee on all motor vehicles registered in the City of Willoughby Hills. The authority to levy this additional motor vehicle license (MV) fee was granted to all cities in the State by the Legislature. The Legislature in granting authority to the State's local governments, restricted the use of the fee to street construction and maintenance purposes, identical to the state levied, locally shared MVL fee; and

WHEREAS, per Section 135.24 of the City's Codified Ordinances, the revenue generated by this fee is to be credited to the Motor Vehicle License Tax Special Revenue Fund. In addition to the restrictions imposed by the State, Section 135.24 further specifies that the revenue generated by this additional MVL fee be used as follows:

- The first \$15,000 is to be transferred to the Pleasant Valley Road Bridge Maintenance Capital Fund No. 443 to be used for the maintenance, repair or replacement of the bridge;
- Any revenue above \$15,000 is to be transferred to the Bishop Road Widening Capital Project Fund; and

WHEREAS, Section 135.24 does not specify any other uses for the MVL fee revenue; the 2014 budget provides for transferring \$15,000 from the MVL Tax Special Revenue Fund to the Pleasant Valley Road Bridge Maintenance Capital Fund; and

WHEREAS, the Bishop Road Widening Project was completed and the fund was closed a number of years ago; therefore, no transfer to that fund is budgeted; and

WHEREAS, the MVL fee revenue remaining after the \$15,000 transfer to the Pleasant Valley Road Bridge Maintenance Fund is budgeted for street maintenance purposes which would include the purchase of rock salt and road drainage projects; and

WHEREAS, for the abovementioned reasons, the Finance Director has recommended that the Motor Vehicle License Tax Special Revenue Fund be closed and that revenue generated by the City's \$5.00 MVL fee be credited to the Street Construction, Maintenance and Repair Fund No. 250; and

WHEREAS, in his Interoffice Memo dated June 5, 2014, consisting of sixteen (16) pages, attached hereto as the **Exhibit "A"** and referenced herein, Finance Director Brichacek further stated that this change would be consistent with the way that most other cities account for the use of the local \$5.00 MVL fee and this action would simplify the accounting for road maintenance revenue by eliminating an unnecessary fund while accomplishing the goals originally set for the use of the local MVL fee; and

WHEREAS, a Joint Meeting of the Service and Finance Committees was held on June 2, 2014 and after a significant amount of discussion, the Joint Committees recommended that legislation be prepared implementing the abovementioned recommendations brought forth by the Finance Director.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:


SECTION 1. The Finance Director is hereby authorized and directed to close the Motor Vehicle License Tax Special Revenue Fund No. 255 as of July 31, 2014; any remaining equity in the Motor Vehicle License Tax Special Revenue Fund No. 255 as of such date shall be transferred to the Street Construction, Maintenance and Repair Special Revenue Fund No. 250.

SECTION 2. 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 3. 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 4. 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 further provides for the usual daily operation of the Finance Department, to wit: to comply with the Finance Director's recommendation to close the Motor Vehicle License Special Revenue Fund No. 255 as of June 30, 2014 and to also provide that any remaining equity in the Motor Vehicle License Tax Special Revenue Fund be transferred to the Street Construction, Maintenance and Repair Special Revenue Fund No. 250 as of July 31, 2014; wherefore, this Ordinance shall be in full force and take effect at the earliest time permitted by law.

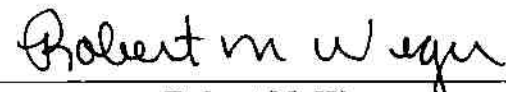
PASSED: July 10, 2014


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