

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. 2014-61

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 BISHOP ROAD SINKHOLE EMERGENCY REPAIR PROJECT AND REPEALING CONFLICTING LEGISLATION.

WHEREAS, the Members of Council are in receipt of the Interoffice Memo from Finance Director Brichacek dated July 29, 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 \$4,900, from \$1,225,000 to \$1,229,800, to provide for the cost of repairing a sinkhole on Bishop Road in front of Pat O'Brien Chevrolet; and

WHEREAS, the sinkhole resulted from a leaking storm sewer pipe; and

WHEREAS, to alleviate this situation, Street Superintendent Catania plans to repair the sewer line from the inside, eliminating the need for excavating the site; and

WHEREAS, because the sinkhole is located next to a busy sidewalk and in front of a high profile area, the repair work is being undertaken immediately; and

WHEREAS, Street Superintendent Nate Catania has made application to the Lake County Stormwater Management Department for a grant to the City to fully finance this project and Mr. Tim Miller, Director of the LCSMD has already notified the City that the LCSMD has approved the project for funding on an emergency basis; and

WHEREAS, Finance Director stated in his Interoffice Memo of July 29, 2014, that in addition to the requested appropriation change, he will be requesting that the Lake County Budget Commission increase by \$4,900 the estimated resources of the Street Construction, Maintenance & Repair Special Revenue Fund No. 250 to reflect the grant once it has been awarded to the City by the LCSMD to finance this 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 is hereby amended to provide funds for 2014 Operating Budget Revision – Street Construction, Maintenance & Repair Fund 250 – Bishop Road Sinkhole Emergency Repair Project by **increasing the appropriation of the Street Construction, Maintenance & Repair Fund #250 of \$4,900 from \$1,225,000 to \$1,229,800** in accordance with the Interoffice Memo from Finance Director Brichacek dated July 29, 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: September 11, 2014

Nancy E. Fellows
Nancy E. Fellows
President of Council Pro-tem

Submitted to the Mayor for his approval
on this 11 day of September, 2014

Approved by the Mayor
September 11, 2014

ATTEST:
Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Robert M. Weger
Mayor