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Clerk of Council

# City of Willoughby Hills

Council  
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DAVID M. FIEBIG  
FRANK A. GERMANO  
KEVIN D. MALECEK  
RAYMOND C. SOMICH

## ORDINANCE NO. 2012-34

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**AN ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 135 – DEPARTMENT OF FINANCE OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS BY THE ESTABLISHMENT OF SECTION 135.001 – POSITION OF FINANCE DIRECTOR, SECTION 135.002 – ASSISTANT DIRECTOR OF FINANCE AND BY THE AMENDMENT OF SECTION 135.07, SUB-SECTION (f) – INVESTMENT OF TREASURY FUNDS AND DECLARING AN EMERGENCY.**

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**WHEREAS**, pursuant to the Finance Director's Interoffice Memo to Mayor Robert Weger and the Law Director Thomas Lobe, dated June 29, 2012, attached hereto as Exhibit A, consisting of one (1) page and incorporated herein by reference, a request was made by the Finance Director to clearly define by ordinance the duties and powers of the Position of Assistant Director of Finance; and

**WHEREAS**, in so doing and in order to secure the administration of the financial affairs of the City, the Council of the City of Willoughby Hills, pursuant to the Charter, and the Ordinances of the City, further defined the position of Director of Finance and the Assistant Finance Director, as set forth by this Ordinance.

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

**SECTION 1.** Section 135.001 – Position of the Director of Finance is hereby established and shall read and provide in its entirety as follows:

**“135.001 POSITION OF DIRECTOR OF FINANCE.**

(a) The Director of Finance. The Department of Finance shall be administered by a Director Finance who shall be appointed by the Mayor subject to confirmation of such appointment by an affirmative vote of four (4) or more members of Council.

(b) Duties and Responsibilities. Under the direction of the Mayor, the Director of Finance shall be the executive head of the treasury of the Municipality, and shall keep an account of all monies received by the Department of Finance, showing the amount thereof, the time received, from who and on what account received; all disbursements made by the Department of Finance, showing the amount thereof, the time made, to whom and on what accounts paid.

(c) General Matters. The laws of the State of Ohio relating generally to budgets, appropriations, deposits, contracts, expenditures, taxation, assessments, debts, bonds and other fiscal matters of the Municipality shall be applicable to the Municipality, except, where competent, as modified by or necessarily inconsistent with the provisions of the City Charter or by the ordinances of Council, and except when provision therefore is made in the Constitution of the State of Ohio.

(d) The Director of Finance, classified as a Department Head per Section 2.2 of the City Charter, may be removed from office either by an affirmative vote of five (5) or more members of Council or by the Mayor with an affirmative vote of four (4) or more members of Council.

(e) Vacancy in Office. Council, by a majority affirmative vote, may designate an officer or employee of the City, who during absence or disability of, or during a vacancy in the office of Director of Finance, shall exercise the powers and discharge the duties and functions of the Director of Finance, under the title of Acting Director of Finance.

A vacancy in the Office of the Finance Director shall be filled by appointment of either a Director of Finance or an Acting Finance Director within thirty (30) days of said vacancy, subject to confirmation of such appointment by an affirmative vote of four (4) or more members of Council.”

**SECTION 2.** **Section 135.002 – Position of the Assistant Director of Finance** is hereby established and shall read and provide in its entirety as follows:

**“135.002 POSITION OF ASSISTANT DIRECTOR OF FINANCE.**

(a) The position of Assistant Director of Finance of the City is hereby created in the Department of Finance.

(b) The Mayor shall appoint such individual, who shall perform such duties in the Department of Finance as are designated by the Director of Finance, and shall be responsible to and report directly to the Director.

(c) In the absence or unavailability of the Finance Director, the Assistant Finance Director, shall perform the duties of the Finance Director, including executing for and on behalf of the Finance Director such documents, contracts and obligations of the City as also require the signature of the Mayor along with such duties as the Mayor or Council may request.

**SECTION 3.** **Section 135.07, Sub-Section (f) - Investment of Treasury Funds** is hereby amended and shall read and provide in its entirety as follows:

“(f) The Mayor, the Director of Finance, the Assistant Finance Director and the Law Director shall be bounded in the amount of twenty thousand dollars (\$20,000) pursuant to Ohio R.C. 731.59; such bonds may cover other contingencies in which such officers might become liable to the Municipal Corporation.”

**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 held 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 provides for the usual daily operation of the Finance Department, and further reason being that this will immediately establish provisions to secure the administration of the financial affairs of the City; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: July 12, 2012

Submitted to the Mayor for his approval  
on this 12 day of July, 2012

ATTEST:

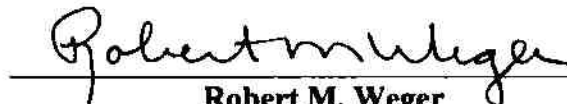
  
Victoria Ann Savage, CMC  
Clerk of Council



**David A. Reichelt**  
*President of Council*

Approved by the Mayor

July 12, 2012



**Robert M. Weger**  
*Mayor*