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Clerk of Council

City of Willoughby Hills

Council
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ORDINANCE NO. 2012-39

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2012-13 TO COMPLY WITH STATE BUDGETARY LAWS REQUIRING MUNICIPALITIES TO MAINTAIN POSITIVE ACCOUNT BALANCES THROUGHOUT THE YEAR; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

WHEREAS, on March 22, 2012, the Council of the City of Willoughby Hills adopted Ordinance No. 2012-13 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2012 through December 31, 2012; and

WHEREAS, on June 14, 2012, the Council of the City of Willoughby Hills adopted Ordinance No. 2012-30 amending Section 1 of Ordinance No. 2012-13 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2012 through December 31, 2012; and

WHEREAS, pursuant to the Interoffice Memo from Acting Director Debbie Doles dated July 20, 2012, consisting of one (1) page, attached hereto as “**Exhibit B**” and referenced herein stating that this ordinance will increase the appropriation of the Road Levy Special Revenue Fund No. 270 by \$60,000 to allow for the cost of the Rogers Road Slope Failure Improvement Projects (\$58,000 for Slope Failure No. 2 and \$1,200 to cover easement negotiation for Slope Failure No. 1); and

WHEREAS, the City Engineer had advised the Acting Finance Director that he requested a \$60,000 grant from the Lake County Stormwater Management District (LCSMD) to finance the second slope failure on Rogers Road; and

WHEREAS, the City Engineer had informed the Acting Finance Director that the LCSMD grant for the Euclid Creek East Bank Tributary (Lamplight Lane) Improvident Project has been approved in the amount of \$361,000; and

WHEREAS, the 2012 budget anticipated that this project would be funded in full; this change means that the projected 2012 year end available fund balance will be reduced from the original estimate of \$191,927 to approximately \$121,927; and

WHEREAS, Council accepts the recommendation of the Acting Finance Director to finance this appropriation increase by requesting the County Budget Commission to decrease the City’s 2012 Certificate of Estimated Resources by \$10,000 based upon the changes in the LCSMD grants for these two projects..

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. 2012-13 as amended by Ordinance No. 2012-30 is hereby amended to increase the appropriation of the Road Levy Special Revenue Fund, No. 270 by \$60,000 in order to allow for the for the cost of the Rogers Road Slope Failure Improvement Projects (\$58,000 for Slope Failure No. 2 and \$1,200 to cover easement negotiation for Slope Failure No. 1).

SECTION 2. The abovementioned sum as reflected in the **Schedule of 2012 Appropriations – Revision No. 2**, marked as “**Exhibit A**”, attached hereto, consisting of five (5) pages and incorporated herein by reference, 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.

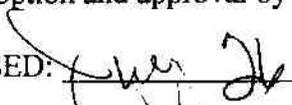
SECTION 4. All expenditures within the fiscal year ending December 31, 2012 shall be made in accordance with the code accounts hereinabove set forth and shall be made within the appropriations herein provided. “Appropriation” as used means the total amount appropriated for the individual fund. Notwithstanding 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.

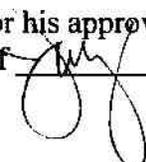
SECTION 6. All Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

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 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 to immediately provide the appropriations required for the acquisition of an already built fire truck and to provide the vendor with a purchase commitment as soon as possible to avoid the possibility of the vehicle being sold to another customer; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: , 2012

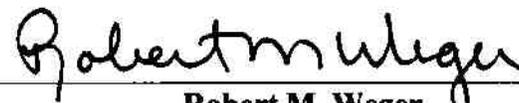

David A. Reichelt
President of Council

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

Approved by the Mayor
, 2012

ATTEST:

Victoria Ann Savage, CMC
Clerk of Council


Robert M. Weger
Mayor