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# City of Willoughby Hills

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## ORDINANCE NO. 2012-40

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### **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.**

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**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**, on June 28, 2012, the Council of the City of Willoughby Hills adopted Ordinance No. 2012-39 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**, the City has been fortunate to receive three grants which were not included in the 2012 Operating Budget:

(1) **\$6,100 from AT&T** to finance the cost of additional equipment necessary for the operation of the City's cable television operation;

(2) **\$14,206 from the Lake County Stormwater Management Department (LCSMD)** to finance the full cost of the Hunting Trail Drainage Project. This grant will finance the cost of installing 18" and 24" storm drains on Hunting Trail to alleviate surface water flooding in the Area. CT Consultants have already completed the engineering for this project;

(3) **\$11,100 from Lake County Stormwater Management Department** to finance the full cost of the Sherbrook Valley Sediment Removal Project. This grant will finance the removal of accumulated sediments at a culvert underneath an existing waterline (work began on this project July 28<sup>th</sup>); and

**WHEREAS**, pursuant to the Interoffice Memo from Acting Director Debbie Doles dated August 9, 2012, consisting of two (2) pages, attached hereto as "**Exhibit B**" and referenced herein states that this ordinance will increase the appropriations of the General Fund to allow for the implementation of the AT&T Cable TV Equipment Grant and of the Street Construction Maintenance and Repair Special Revenue Fund to allow for the implementation of the two stormwater management grants; and

**WHEREAS**, pursuant to the abovementioned Interoffice Memo, attached hereto as "**Exhibit B**" and referenced herein, this ordinance reallocates, without increasing, the appropriation of the Road Levy Special Revenue Fund No. 270 to provide for the Camelot Court and Riviera Ridge Street Improvement Project. The fund's Personnel category allocation is being decreased by \$19,000 and the Operations and Maintenance category is being increased by \$19,000 to provide for the engineering and construction costs of these two improvement projects; and

**WHEREAS**, the Acting Finance Director will be requesting the County Budget Commission to increase the City's 2012 Certificate of Estimated Resources by \$31,500 (\$6,100 General Fund, \$25,400 Street Maintenance and Repair Special Revenue Fund No. 250) based upon the awards of grants for these three 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 and as amended by Ordinance No. 2012-39 is hereby amended to increase the appropriations of the General Fund to allow for the implementation of the AT&T Cable TV Equipment Grant and of the Street Construction Maintenance and Repair Special Revenue Fund to allow for the implementation of the two stormwater management grants.

**SECTION 2.** The attached *Schedule of 2012 Appropriations, Revision No. 3* reallocates, without increasing, the appropriation of the Road Levy Special Revenue Fund No. 270 to provide for the Camelot Court and Riviera Ridge Street Improvement Projects. The fund's Personnel category allocation is being decreased by \$19,000 and the Operations and Maintenance category is being increased by \$19,000 to provide for the engineering and construction costs of these two improvement projects.

**SECTION 3.** The abovementioned sum as reflected in the **Schedule of 2012 Appropriations – Revision No. 3**, 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 4.** All monies in the Trust & Agency Funds Accounts are hereby deemed appropriated for their intended purposes.

**SECTION 5.** 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 6.** 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 7.** 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 8.** 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 9.** 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 of the General Fund to allow for: (1) the implementation of the AT&T Cable TV Equipment Grant and of the Street Construction Maintenance and Repair Special Revenue Fund to allow for the implementation of the two stormwater management grants and (2) the reallocation, without increasing, the appropriation of the Road Levy Special Revenue Fund No. 270 to provide for the Camelot Court and Riviera Ridge Street Improvement Projects.; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: August 14, 2012

Submitted to the Mayor for his approval  
on this 14 day of August, 2012

ATTEST:

Victoria Ann Savage  
Victoria Ann Savage, CMC  
Clerk of Council

David A. Reichelt  
David A. Reichelt  
President of Council

Approved by the Mayor

August 14, 2012

Robert M. Weger  
Robert M. Weger  
Mayor