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President of Council

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Clerk of Council

City of Willoughby Hills

Council
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FRANK A. GERMANO
KEVIN D. MALECEK
RAYMOND C. SOMICH

ORDINANCE NO. 2013-29

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2013-13 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 28, 2012, the Council of the City of Willoughby Hills adopted Ordinance No. 2013-13 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2013 through December 31, 2013; and

WHEREAS, on May 9, 2013, the Council of the City of Willoughby Hills adopted Ordinance No. 2013-22 amending Section 1 of Ordinance No. 2013-13 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2013 through December 31, 2013; and

WHEREAS, on June 13, 2013, the Council of the City of Willoughby Hills adopted Ordinance No. 2013-28, amending Section 1 of Ordinance No. 2013-13 providing for permanent appropriations necessary to maintain City services for the fiscal period beginning January 1, 2013 through December 31, 2013; and

WHEREAS, pursuant to the Interoffice Memo from Finance Director Brichacek dated June 20, 2013, consisting of three (3) pages, attached hereto as **Exhibit "B"** and referenced herein, the proposed appropriation revisions to the 2013 Operating Budget of the City are as follows:

- (1) Increase the appropriation of the Road Levy Special Revenue Fund No. 270 by \$250,000 from \$1,212,400 to \$1,462,400 to provide for the following projects:
 - (a) Gatsby Road Reconstruction - \$104,200;
 - (b) Hanna Road Asphalt Overlay - \$139,300;
 - (c) Debt Issuance Legal Expense/Transfer to Debt Service Fund 310 - \$6,500
- (2) Increasing the appropriation of the Bond Retirement fund No. 310 by \$9,900 from \$3,206,600 to \$3,216,500 to provide for the cost of legal and underwriter services related to the issuance of the \$250,000 General Obligation Street Improvement Project Note; and

WHEREAS, based upon the note issuance, Council accepts the recommendation of the Finance Director to revise the City's 2013 Certificate of Estimated Resources by requesting that the County Budget Commission: (1) Increase the Road Levy Special Revenue Fund No. 270 by \$250,000 from \$1,313,366 to \$1,563,366 to reflect the proceeds of the note issuance and (2) Increase Bond Retirement Fund No. 310 by \$9,900, from \$3,382,804 to \$3,392,704 to reflect the following:

- \$6,500 – Transfer from the Road Levy special Revenue Fund to finance legal expenses related to the note issue
- \$3,400 – Estimated note premium which will be used to finance underwriter expenses related to the note issue.

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. 2013-22 and as amended by Ordinance No. 2013-28 is hereby amended to provide for the following appropriations:

- (1) Increase the appropriation of the Road Levy Special Revenue Fund No. 270 by \$250,000 from \$1,212,400 to \$1,462,400 to provide for the following projects:
 - (a) Gatsby Road Reconstruction - \$104,200;
 - (b) Hanna Road Asphalt Overlay - \$139,300;
 - (c) Debt Issuance Legal Expense/Transfer to Debt Service Fund 310 - \$6,500
- (2) Increasing the appropriation of the Bond Retirement Fund No. 310 by \$9,900 from \$3,206,600 to \$3,216,500 to provide for the cost of legal and underwriter services related to the issuance of the \$250,000 General Obligation Street Improvement Project Note.

SECTION 2 The abovementioned sums as reflected in the **Schedule of 2013 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 3. The passage of this Ordinance is contingent upon Council’s adoption on June 27, 2013 of Ordinance No. 2013-35 and based upon such passage, the Finance Director will request that the County Budget Commission amend the City’s 2013 Certificate of Estimated Resources as follows: (1) Increase the Road Levy Special Revenue Fund No. 270 by \$250,000 from \$1,313,366 to \$1,563,366 to reflect the proceeds of the note issuance and (2) Increase Bond Retirement Fund No. 310 by \$9,900, from \$3,382,804 to \$3,392,704 to reflect the following: \$6,500 – Transfer from the Road Levy special Revenue Fund to finance legal expenses related to the note issue and \$3,400 – Estimated note premium which will be used to finance underwriter expenses related to the note issue.

SECTION 4. All monies in the Trust & Agency Funds Accounts are hereby deemed appropriated for their intended purposes.

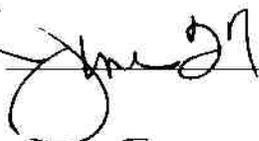
SECTION 5. All expenditures within the fiscal year ending December 31, 2013 shall be made in accordance with the code accounts hereinabove set forth and shall be made within the appropriations herein provided. “Appropriation” as used means the total amount appropriated for the individual fund. Notwithstanding 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.

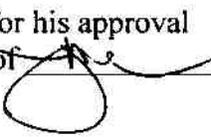
SECTION 8. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

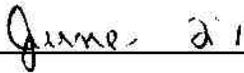
SECTION 9. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the Finance Department and further reason being to immediately provide for the revisions enumerated within this Ordinance; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

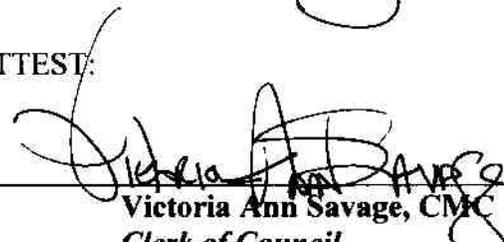
PASSED:  _____, 2013



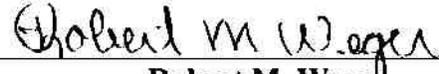
David A. Reichelt
President of Council

Submitted to the Mayor for his approval
on this  day of , 2013

Approved by the Mayor
 _____, 2013

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council



Robert M. Wegel
Mayor