

**ORDINANCE NO. 2019- 11**

**AN ORDINANCE AMENDING CHAPTER 133 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOWICK, OHIO, TITLED, "DEPARTMENT OF FINANCE"; AND SPECIFICALLY ESTABLISHING SECTION 133.43, TITLED "EAST 329 STREET PHASE 2 CAPITAL IMPROVEMENT FUND," AND DECLARING AN EMERGENCY.**

**WHEREAS**, Section 5705.13(C) of the Ohio Revised Code provides that the taxing authority of a subdivision may establish a capital projects fund for the purpose of accumulating resources for the acquisition, construction, or improvement of fixed assets of the subdivision; and

**WHEREAS**, the Council and Administration of the City of Willowick believe it to be necessary to establish the East 329 Street Phase 2 Capital Improvement Fund to receipt contributions from such sources and funds as allowed by law, for the purpose of expending the funds necessary to ensure the infrastructure improvements necessary for sewer and lateral cleaning and televising, sanitary and storm sewer lining, sewer point repairs, and service connection rehabilitation, and all other necessary appurtenances thereto in the East 329 Street area.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOWICK, COUNTY OF LAKE, AND STATE OF OHIO:**

**Section 1.** That Chapter 133 of the Codified Ordinances of the City of Willowick, Ohio, titled "Department of Finance"; is hereby amended to specifically establish Section 133.43, titled "East 329 Street Capital Improvement Fund," to read and provide as follows:

**SECTION 133.43 EAST 329 STREET PHASE 2 CAPITAL IMPROVEMENT FUND.**

(a) That there is hereby established Fund 429 in the approximate amount of One Million Six Hundred Thousand Dollars (\$1,600,000.00), which shall be identified as the East 329 Street Phase 2 Capital Improvement Fund. This Fund shall be utilized for the deposit of receipts from the contributions from such other sources and funds as allowed by law, for the purpose of providing the funding necessary for infrastructure improvements to Phase 2 of the City of Willowick's East 329 Street to include, sewer and lateral cleaning and televising, sanitary and storm sewer lining, sewer point repairs, and service connection rehabilitation and all other necessary appurtenances thereto in the East 329 Street area, and to further ensure and maintain compliance with any and all State and Federal regulatory agencies.

(b) Council may transfer, deposit, or appropriate funds from the General Fund, Sewer Revenue Fund, from grants obtained from other public or private entities, and such other sources as specified by an affirmative vote of Council to be used to fund the sewer and lateral cleaning and televising, sanitary and storm sewer lining, sewer point repairs, and service connection rehabilitation and all other necessary appurtenances thereto in the East 329 Street area, and to maintain compliance with any and all State and Federal regulatory agencies.

(c) Upon approval by Council, this Fund shall be used solely to pay for the infrastructure improvements to Phase 2 of the City of Willowick's East 329 Street to include sewer and lateral cleaning and televising, sanitary and storm sewer lining, sewer point repairs, and service connection rehabilitation and all other necessary appurtenances thereto in the East 329 Street area, and to maintain compliance with any and all State and Federal regulatory requirements.

**Section 2.** All formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances and Section 121.22 of the Ohio Revised Code.

**Section 3.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, welfare and dignity of the residents of the City of Willowick and therefore shall be in full force and take effect immediately upon its passage by Council and its approval by the Mayor, or at the earliest period allowed by law.

Adopted by Council: 4/2/19

Robert J. Patton  
Robert Patton, Council President

Attest: Susan K. Wrovasch  
Clerk of Council

Approved by Mayor: APR 03

Richard J. Regovich  
Richard J. Regovich, Mayor