

# ORDINANCE NO. 09-08

## AN ORDINANCE BY THE COMMON COUNCIL OF THE CITY OF WESTFIELD TO ESTABLISH A WESTFIELD TRAIL DONATION FUND

**WHEREAS**, the City of Westfield (“City”) is governed by its duly elected Mayor and Common Council (“Council”) and is charged with the duties to maintain proper funds for the allocation and distribution of those funds in a fiscally responsible manner; and

**WHEREAS**, it has been determined that it is advisable to establish in the City a Park Donation Fund into which various donations from individual and corporate citizens may be deposited until needs for the benefit of the City Trails can be established by this Council and then distributed; and

### NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF WESTFIELD, INDIANA, AS FOLLOWS:

**Section 1.** There is established in the City a “Trail Donation Fund”, #262303 (the "Fund"), into which shall be deposited all donations from public and corporate citizens for and other related funds. The Fund shall be maintained separate and apart from all other funds of the City in accounts approved by the Clerk-Treasurer. The Fund shall not include any funds derived from tax proceeds.

**Section 2.** Monies in the Fund shall be used for any and all appropriate operating and capital expenses related to the Westfield Trail System as determined by the Council.

**Section 3.** The Fund shall exist until terminated by Ordinance of the Common Council. Proceeds remaining in the Fund upon termination shall be deposited in the General Fund..

**Section 4.** This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All Ordinances or parts thereof that are in conflict herewith are hereby ordered repealed. Any portion of this Ordinance later deemed invalid shall not operate to invalidate the remaining portions.

ADOPTED AND PASSED THIS \_\_\_\_\_<sup>TH</sup> DAY OF \_\_\_\_\_ 2009, BY THE  
WESTFIELD COMMON COUNCIL, HAMILTON COUNTY, INDIANA.

**WESTFIELD COMMON COUNCIL**  
**Hamilton County, Indiana**

**WESTFIELD COMMON COUNCIL**

**Voting For**

**Voting Against**

**Abstain**

\_\_\_\_\_  
John Dippel

\_\_\_\_\_  
John Dippel

\_\_\_\_\_  
John Dippel

\_\_\_\_\_  
Bob Horkay

\_\_\_\_\_  
Bob Horkay

\_\_\_\_\_  
Bob Horkay

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Steven Hoover

\_\_\_\_\_  
Ken Kingshill

\_\_\_\_\_  
Ken Kingshill

\_\_\_\_\_  
Ken Kingshill

\_\_\_\_\_  
Bob Smith

\_\_\_\_\_  
Bob Smith

\_\_\_\_\_  
Bob Smith

\_\_\_\_\_  
Thomas Smith

\_\_\_\_\_  
Thomas Smith

\_\_\_\_\_  
Thomas Smith

\_\_\_\_\_  
Rob Stokes

\_\_\_\_\_  
Rob Stokes

\_\_\_\_\_  
Rob Stokes

ATTEST:

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

I hereby certify that ORDINANCE NO. 09-08 was delivered to the Mayor of Westfield on the \_\_\_\_\_ day of \_\_\_\_\_, 2009, at \_\_\_\_\_ . m.

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance No. 09-08  
this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
J. Andrew Cook, Mayor

I hereby VETO Ordinance No. 09- 08  
this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
J. Andrew Cook, Mayor

This Ordinance prepared by:  
Brian J. Zaiger, Esq.  
KRIEG DEVAULT, LLP  
(317) 238-6266