

## ORDINANCE 08-12

### AN ORDINANCE OF THE CITY OF WESTFIELD AUTHORIZING A LOAN FROM THE UTILITIES TO THE GENERAL FUND

**WHEREAS**, The City of Westfield, (“City”) is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council (“Council”); and,

**WHEREAS**, the City owns a water and sewer utility which is controlled and operated by the City for the benefit of the citizens of the City and other customers, and,

**WHEREAS**, that delays in acquiring the designated tax funds from the State of Indiana, through no fault of the City, has created a shortfall of funds to maintain that fiscal integrity and hereby requires this action to maintain the fiscal integrity of the City.

**NOW, THEREFORE, BE IT ORDAINED** by the Westfield City Common Council meeting in session as follows:

- Section 1.** That the Council now finds that a loan is necessary to maintain the fiscal integrity of the City.
- Section 2.** The Council hereby authorizes a loan in the amount of \$800,000.00 from the Westfield Public Works water availability fund to the Westfield General Fund.
- Section 3.** The Council authorizes the City Council President to execute a no interest obligation of the City to the Westfield to the Westfield Public Works for the amounts stated above to be due no later than 30 days from the date of receiving the anticipated tax funds.
- 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 All ordinances or parts thereof that are in conflict herewith are hereby ordered repealed.

ALL OF WHICH IS ORDAINED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Melody Sweat

\_\_\_\_\_  
Melody Sweat

\_\_\_\_\_  
Melody Sweat

ATTEST:

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

I hereby certify that ORDINANCE 08-12 was delivered to the Mayor of Westfield

on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, at \_\_\_\_\_ m.

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

I hereby APPROVE ORDINANCE 08-12

this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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

I hereby VETO ORDINANCE 08-12

this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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

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