2014015260 ORDINANCE $17.00
04/25/2014 12:53:34P 4 PGS
Mary L. Clark
HAMILTON County Recorder IN
Recorded as Presented

# ORDINANCE 14-14

(4)

## ORDINANCE OF THE CITY OF WESTFIELD TRANSFERRING FUNDS AND APPROPRIATION THEREOF

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

**WHEREAS,** on March 21, 2014, the City and the City's Public Works Department, acting by and through the Board of Public Works completed the sale of the City's Wastewater Utility to Citizens Wastewater of Westfield, LLC and of the City's Water Utility to Citizens Water of Westfield, LLC (the City's Wastewater Utility and Water Utility are collectively referred to as "Utilities"); and

**WHEREAS,** the net proceeds from the sale of the Utilities (collectively, the "Utility Sale Proceeds") will be deposited into the City's General Fund; and

**WHEREAS,** the City intends to utilize such monies to fund a program of infrastructure improvements within the City (the "Infrastructure Improvement Program"); and

**WHEREAS,** it is the duty and the responsibility of this Council to maintain the fiscal integrity of the finances of the City; and

**WHEREAS,** sometimes becomes necessary to transfer funds from one fund to another and appropriations be made for the fiscal integrity of the City; and

**WHEREAS,** this Council, after giving public notice in accordance with IC 5-3-1-2, held a public hearing on this proposal on April 14, 2014.

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

**Section 1.** This Council hereby establishes a fund to be known as the Infrastructure Improvement Fund which shall be funded by the Utility Sale Proceeds and proceeds from the investment thereof to be used to fund the City's Infrastructure Improvement Program.

**Section 2.** That this Council now recognizes the need to transfer such funds from the City's General Fund into the City's Infrastructure Improvement Fund and hereby authorizes and directs the transfer of funds and appropriations as indicated below:

| FROM | INTO | AMOUNT |
|---|---|---|
| General Fund | Infrastructure Improvement Fund | $46,566,737.42 |

**Section 3.** 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. All acts undertaken to develop this Ordinance are hereby ratified.

*[Remainder of page intentionally left blank.]*

ADOPTED AND PASSED THIS 14 DAY OF April, 2014, BY THE WESTFIELD COMMON COUNCIL, HAMILTON COUNTY, INDIANA.

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

## WESTFIELD COMMON COUNCIL

| Voting For | Voting Against | Abstain |
|---|---|---|
| Jim Ake | Jim Ake | Jim Ake |
| Steve Hoover | Steve Hoover | Steve Hoover |
| Robert L. Horkay | Robert L. Horkay | Robert L. Horkay |
| Charles Lehman | Charles Lehman | Charles Lehman |
| Bob Smith | Bob Smith | Bob Smith |
| Cindy L. Spoljaric | Cindy L. Spoljaric | Cindy L. Spoljaric |
| Robert Stokes | Robert Stokes | Robert Stokes |

ATTEST:

Cindy Gossard, Clerk-Treasurer
City of Westfield, Indiana

"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"

Signed

I hereby certify that ORDINANCE 14-14 was delivered to the Mayor of Westfield on the 15 day of April, 2014, at 9:30 a.m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 14-14

this 21 day of April, 2014.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 14-14

this _____ day of _____, 2014.

J. Andrew Cook, Mayor

ATTEST:

Cindy Gossard, Clerk-Treasurer

This document prepared by:
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(317) 238-6239

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