

Request for City Council Action

Date: April 14, 2015

Agenda Section: Consent Agenda No. 5	Originating Department: Finance
Item: An Ordinance Establishing a Foreign Fire Insurance Fund and approving a Budget Adjustment providing funds for purchases for the maintenance, use, and benefit of the City of Carbondale Fire Department. No. 5.5	Approved:

Background and Summary:

In accordance with Illinois Compiled Statutes, the Illinois Municipal League (IML) collects the 2% foreign fire insurance tax from the out of state insurance companies that conduct business in Carbondale. This money is collected and paid annually to the Carbondale Foreign Fire Insurance Board Treasurer. These funds are distributed by the Carbondale Foreign Fire Insurance Board to provide for the maintenance, use, and benefit of the department as the department sees fit to compensate for what is not provided by the municipality per ILCS 5/11-10-2.

Due to the nature of the funds not being under the direct control of the municipality, but under a separate board of fire department personnel, the municipality previously removed the reporting of those funds from the municipality's records. During the FY 2014 municipal audit Kerber, Eck, & Braeckel informed the City that monies held by the Foreign Fire Insurance Board would need to be recognized within the municipality's financial statements.

The purpose of this ordinance is to establish the Foreign Fire Insurance Fund within the City's financial reporting system and provide budgetary authority for the Foreign Fire Insurance Board members to spend those funds received for the maintenance, use, and benefit of the department.

Recommended Action:

It is recommended that the City Council approve the Ordinance establishing a Foreign Fire Insurance Fund and approving a budget adjustment increasing the overall FY 2015 budget to provide for the establishment of the Foreign Fire Insurance Fund.

Engineering Approval Obtained	Finance Approval Obtained	Legal Approval Obtained	Approval Obtained	Manager's Approval Obtained
Council Action: Motion by: _____		2nd by: _____	to: _____	

CITY OF CARBONDALE, ILLINOIS

ORDINANCE NO. 2015- ____

**AN ORDINANCE ESTABLISHING A FOREIGN FIRE INSURANCE FUND AND
APPROVING A BUDGET ADJUSTMENT PROVIDING FUNDS FOR PURCHASES
FOR THE MAINTENANCE, USE, AND BENEFIT OF THE CITY OF CARBONDALE
FIRE DEPARTMENT**

ADOPTED BY THE CITY COUNCIL

OF THE CITY OF CARBONDALE, ILLINOIS

THE 14TH DAY OF APRIL, 2015

**Published in pamphlet form by authority of the City Council of the City of Carbondale,
Jackson County, Illinois, this 15th day of April, 2015.**

CERTIFICATE OF PUBLICATION

**I, Jennifer R. Sorrell, the duly qualified City Clerk of the City of Carbondale, Illinois,
and the official custodian of the records of said City, do hereby certify that this ordinance
was published in pamphlet form by authority of the City Council on the 15th day of April,
2015.**

Jennifer R. Sorrell, City Clerk

ORDINANCE NO. 2015-____

AN ORDINANCE ESTABLISHING A FOREIGN FIRE INSURANCE FUND AND APPROVING A BUDGET ADJUSTMENT PROVIDING FUNDS FOR PURCHASES FOR THE MAINTENANCE, USE, AND BENEFIT OF THE CITY OF CARBONDALE FIRE DEPARTMENT

WHEREAS, the City of Carbondale, Illinois, is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, pursuant to Article VII, Section 6(a), of the Illinois Constitution, 1970, the City of Carbondale may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the Illinois Municipal League collects the 2% foreign fire insurance tax from the out of state insurance companies that conduct business in Carbondale; and

WHEREAS, the Carbondale Foreign Fire Insurance Board distributes these funds to the fire department for the maintenance, use, and benefit of the department; and

WHEREAS, the monies held by the Foreign Fire Insurance Board need to be recognized within the city's financial statements; and

WHEREAS, the City has determined that budget adjustments need to be made as set out in the Budget Adjustment, a copy of which is attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, the City Council of the City of Carbondale finds it in the best interest of the City of Carbondale to accept the adjusted fiscal year 2015 budget as set out in Exhibit "A."

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF CARBONDALE AS FOLLOWS:**

SECTION 1. That the City Council deems it in the best interest of the citizens of Carbondale to authorize the City Manager to adopt the budget adjustments to the FY2015 budget, as set out in Exhibit “A”, attached hereto and made a part hereof.

SECTION 2. That the FY2015 budget is hereby increased for the additional expenditures and revenues as set out in the Budget Adjustment in the amount of \$62,782 as shown in Exhibit “A” and such funds are hereby appropriated in accordance with the law for the purposes of this Ordinance.

SECTION 3. That the City Manager of the City of Carbondale is hereby authorized to take any and all reasonable, necessary, and proper action to carry out the intent and purposes of this Ordinance.

SECTION 4. That the Finance Director is hereby authorized to increase the FY2015 budget in accordance with this Ordinance.

SECTION 5. That all ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

SECTION 6. That repeal of any ordinance by this Ordinance shall not affect any rights accrued or liability incurred under said repealed ordinance to the effective date hereof. The provisions of this Ordinance insofar as they are the same or substantially the same as those of any prior ordinance, shall be construed as a continuation of said prior ordinances.

SECTION 7. That it is the intention of the City Council of the City of Carbondale that this Ordinance and every provision thereof shall be considered separable, and the invalidity of any

section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 8. That the City Council of the City of Carbondale finds that the subject matter of this Ordinance pertains to the government and affairs of the City of Carbondale and is passed pursuant to authorities granted it by State statutes and the Home Rule powers of the City of Carbondale pursuant to the provisions of Article VII, Section 6(a) of the Illinois Constitution.

SECTION 9. That this Ordinance shall take effect upon its passage, approval, recording, and publication in pamphlet form in accordance with law.

APPROVED: _____
Donald D. Monty, Acting Mayor

ATTEST: _____
Jennifer R. Sorrell, City Clerk

APPROVED AS TO LEGALITY AND FORM:

P. Michael Kimmel, City Attorney

