

# Ordinance No. 7683

## AN ORDINANCE AUTHORIZING A FACILITY ENCROACHMENT AGREEMENT WITH CSX TRANSPORTATION, INC.

WHEREAS, Planned widening of South Clinton Street, State Route 111, requires the installation of storm sewers beneath the CSX railroad right-of-way; and,

WHEREAS, CSX Transportation, Inc. has presented a Facility Encroachment Agreement granting the municipality a license to install and maintain the necessary sewers;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The City Administrator is authorized to execute Facility Encroachment Agreement CSX770658 now on file in the Office of the Law Director and deliver the same and all incorporated attachments to CSX Transportation, Inc.

Section 2: The Finance Director is authorized to pay all sums becoming due under the authorized agreement, presently estimated to be \$3,250.00, from funds allocated to the South Clinton Street widening project by the 2015 annual budget.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 4: This Ordinance shall be effective on the earliest date permitted by law.

Passed: December 16, 2014

Mike McCann  
President of Council

Attest: Lisa Elders, Clerk

Approved: December 16, 2014

Bob Armstrong  
Mayor

# Ordinance No. 7684

## AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF DEFIANCE, OHIO, DURING THE PERIOD OF JANUARY 1, 2015 THROUGH DECEMBER 31, 2015.

Now, therefore, be it enacted by the Council of the Municipality of Defiance, Ohio:

**Section 1:** That, to provide for the current expenses and other expenditures of the City of Defiance, State of Ohio, during the period of January 1, 2015 through December 31, 2015, the following sums be, and are hereby set aside and appropriated as follows, to wit:

<b>GENERAL FUND - 101</b>			
<b>101 - COUNCIL</b>			
Salaries, Wages and Benefits	\$	79,615.00	
Operating	\$	32,540.00	
TOTAL - COUNCIL			\$ 112,155.00
<b>136 - MUNICIPAL COURT</b>			
Salaries, Wages and Benefits	\$	728,900.00	
Operating	\$	83,450.00	
TOTAL - MUNICIPAL COURT			\$ 812,350.00
<b>145 - COUNTY LAW LIBRARY</b>			
Operating	\$	32,000.00	
TOTAL - COUNTY LAW LIBRARY			\$ 32,000.00
<b>171 - MAYOR</b>			
Salaries, Wages and Benefits	\$	161,730.00	
Operating	\$	12,480.00	
TOTAL - MAYOR			\$ 174,210.00
<b>172 - CITY ADMINISTRATOR</b>			
Salaries, Wages and Benefits	\$	127,225.00	
Operating	\$	36,803.00	
TOTAL - CITY ADMINISTRATOR			\$ 164,028.00
<b>180 - DEVELOPMENT DEPARTMENT</b>			
Salaries, Wages and Benefits	\$	-	
Operating	\$	96,000.00	
TOTAL - DEVELOPMENT DEPARTMENT			\$ 96,000.00
<b>201 - FINANCE DEPARTMENT</b>			
Salaries, Wages and Benefits	\$	367,570.00	
Operating	\$	64,469.00	
TOTAL - FINANCE DEPARTMENT			\$ 432,039.00
<b>205 - COUNTY &amp; STATE CHARGES</b>			
Operating	\$	90,000.00	
TOTAL - COUNTY & STATE CHARGES			\$ 90,000.00
<b>210 - LAW DEPARTMENT</b>			
Salaries, Wages and Benefits	\$	312,040.00	
Operating	\$	25,450.00	
TOTAL - LAW DEPARTMENT			\$ 337,490.00
<b>220 - CIVIL SERVICE</b>			
Salaries, Wages and Benefits	\$	7,055.00	
Operating	\$	43,780.00	
TOTAL - CIVIL SERVICE			\$ 50,835.00

<b>265 - BUILDINGS &amp; LAND</b>			
Salaries, Wages and Benefits	\$	82,280.00	
Operating	\$	423,944.00	
<b>TOTAL - BUILDINGS &amp; LAND</b>			\$ 506,224.00
<b>276 - CEMETERY</b>			
Salaries, Wages and Benefits	\$	217,255.00	
Operating	\$	53,215.00	
<b>TOTAL - CEMETERY</b>			\$ 270,470.00
<b>371 - BUILDING INSPECTION</b>			
Salaries, Wages and Benefits	\$	122,560.00	
Operating	\$	18,700.00	
<b>TOTAL - BUILDING INSPECTION</b>			\$ 141,260.00
<b>447 - ENGINEERING</b>			
Salaries, Wages and Benefits	\$	488,475.00	
Operating	\$	45,915.00	
<b>TOTAL - ENGINEERING</b>			\$ 534,390.00
<b>730 - INSURANCE POOL</b>			
Operating	\$	300,175.00	
<b>TOTAL - INSURANCE POOL</b>			\$ 300,175.00
<b>751 - PARKS &amp; RECREATION</b>			
Salaries, Wages and Benefits	\$	373,715.00	
Operating	\$	249,500.00	
<b>TOTAL - PARKS &amp; RECREATION</b>			\$ 623,215.00
<b>753 - INCOME TAX DEPARTMENT</b>			
Salaries, Wages and Benefits	\$	68,115.00	
Operating	\$	191,835.00	
<b>TOTAL - INCOME TAX DEPARTMENT</b>			\$ 259,950.00
<b>966 - POLICE &amp; FIRE TRANSFER OUT</b>			
Operating	\$	3,570,000.00	
<b>TOTAL - POLICE &amp; FIRE TRANSFER OUT</b>			\$ 3,570,000.00
<b>967 - POLICE PENSION TRANSFER OUT</b>			
Operating	\$	270,000.00	
<b>TOTAL - POLICE PENSION TRANSFER OUT</b>			\$ 270,000.00
<b>968 - FIRE PENSION TRANSFER OUT</b>			
Operating	\$	240,000.00	
<b>TOTAL - FIRE PENSION TRANSFER OUT</b>			\$ 240,000.00
<b>TOTAL - GENERAL FUND</b>			<b>\$ 9,016,791.00</b>
<b>201 - POLICE &amp; FIRE FUND</b>			
<b>301 - POLICE DEPARTMENT</b>			
Salaries, Wages and Benefits	\$	2,754,940.00	
Operating	\$	505,500.00	
<b>TOTAL - POLICE DEPARTMENT</b>			\$ 3,260,440.00
<b>336 - FIRE DEPARTMENT</b>			
Salaries, Wages and Benefits	\$	1,903,745.00	
Operating	\$	300,841.00	
<b>TOTAL - FIRE DEPARTMENT</b>			\$ 2,204,586.00
<b>TOTAL - POLICE &amp; FIRE FUND</b>			<b>\$ 5,465,026.00</b>
<b>202 - STATE HIGHWAY IMPROVEMENT FUND</b>			
Operating	\$	82,000.00	
<b>TOTAL - STATE HIGHWAY IMPROVEMENT FUND</b>			\$ 82,000.00

<b>204 - STREET CONSTRUCTION, MAINTENANCE &amp; REPAIR FUND</b>			
Salaries, Wages and Benefits	\$	701,855.00	
Operating	\$	266,615.00	
<b>TOTAL - STREET CONSTRUCTION, MAINTENANCE &amp; REPAIR FUND</b>			<b>\$ 968,470.00</b>
<b>245 - INDIGENT DRIVERS ALCOHOL TREATMENT FUND</b>			
Operating	\$	20,000.00	
<b>TOTAL - INDIGENT DRIVERS ALCOHOL TREATMENT FUND</b>			<b>\$ 20,000.00</b>
<b>247 - PROBATION SERVICES FUND</b>			
Operating	\$	55,005.00	
<b>TOTAL - PROBATION SERVICES FUND</b>			<b>\$ 55,005.00</b>
<b>249 - PROBATION GRANT FUND</b>			
Salaries, Wages and Benefits	\$	27,340.00	
Operating	\$	-	
<b>TOTAL - PROBATION GRANT FUND</b>			<b>\$ 27,340.00</b>
<b>250 - COURT COMPUTERIZATION FUND</b>			
Operating	\$	20,000.00	
<b>TOTAL - COURT COMPUTERIZATION FUND</b>			<b>\$ 20,000.00</b>
<b>256 - SPECIAL PROJECT FUND</b>			
Operating	\$	160,000.00	
<b>TOTAL - SPECIAL PROJECT FUND</b>			<b>\$ 160,000.00</b>
<b>257 - OVI SPECIAL PROJECT FUND</b>			
Operating	\$	5,000.00	
<b>TOTAL - OVI SPECIAL PROJECT FUND</b>			<b>\$ 5,000.00</b>
<b>260 - CABLE T.V. FUND</b>			
Operating	\$	180,000.00	
<b>TOTAL - CABLE T.V. FUND</b>			<b>\$ 180,000.00</b>
<b>273 - HOUSING REHABILITATION FUND</b>			
Operating	\$	238,562.00	
<b>TOTAL - HOUSING REHABILITATION FUND</b>			<b>\$ 238,562.00</b>
<b>276 - REVOLVING LOAN FUND</b>			
Operating	\$	630,000.00	
<b>TOTAL - REVOLVING LOAN FUND</b>			<b>\$ 630,000.00</b>
<b>278 - DOWNTOWN REVITALIZATION FUND</b>			
Operating	\$	228,509.00	
<b>TOTAL - DOWNTOWN REVITALIZATION FUND</b>			<b>\$ 228,509.00</b>
<b>279 - MICRO REVOLVING LOAN FUND</b>			
Operating	\$	24,000.00	
<b>TOTAL - MICRO REVOLVING LOAN FUND</b>			<b>\$ 24,000.00</b>
<b>403 - CAPITAL IMPROVEMENT FUND</b>			
Operating	\$	4,616,447.00	
<b>TOTAL - CAPITAL IMPROVEMENT FUND</b>			<b>\$ 4,616,447.00</b>
<b>585 - UTILITIES BILLING OFFICE FUND</b>			
Salaries, Wages and Benefits	\$	411,965.00	
Operating	\$	176,800.00	
<b>TOTAL - UTILITIES BILLING OFFICE FUND</b>			<b>\$ 588,765.00</b>

<b>589 - SEWER CAPITAL IMPROVEMENT FUND</b>		
Operating	\$	1,920,500.00
<b>TOTAL - SEWER CAPITAL IMPROVEMENT FUND</b>	<b>\$</b>	<b>1,920,500.00</b>
<b>590 - WATER POLLUTION CONTROL FUND</b>		
<b>540 - SEWER PLANT</b>		
Salaries, Wages and Benefits	\$	1,376,665.00
Operating	\$	10,583,214.00
<b>TOTAL - SEWER PLANT</b>	<b>\$</b>	<b>11,959,879.00</b>
<b>541 - STORMWATER</b>		
Salaries, Wages and Benefits	\$	80,035.00
Operating	\$	107,500.00
<b>TOTAL - STORMWATER</b>	<b>\$</b>	<b>187,535.00</b>
<b>TOTAL - WATER POLLUTION CONTROL FUND</b>	<b>\$</b>	<b>12,147,414.00</b>
<b>591 - WATER TREATMENT PLANT FUND</b>		
<b>537 - WATER TREATMENT PLANT</b>		
Salaries, Wages and Benefits	\$	869,392.00
Operating	\$	6,386,076.00
<b>TOTAL - 537 - WATER TREATMENT PLANT</b>	<b>\$</b>	<b>7,255,468.00</b>
<b>538 - WATER DISTRIBUTION</b>		
Salaries, Wages and Benefits	\$	604,065.00
Operating	\$	1,989,600.00
<b>TOTAL - 538 - WATER DISTRIBUTION</b>	<b>\$</b>	<b><u>2,593,665.00</u></b>
<b>TOTAL - WATER TREATMENT PLANT FUND</b>	<b>\$</b>	<b>9,849,133.00</b>
<b>596 - REFUSE COLLECTION FUND</b>		
Operating	\$	1,004,800.00
<b>TOTAL - REFUSE COLLECTION FUND</b>	<b>\$</b>	<b>1,004,800.00</b>
<b>704 - HOTEL / MOTEL TAX FUND</b>		
<b>873 - GENERAL OPERATING</b>		
Salaries, Wages and Benefits	\$	18,610.00
Operating	\$	76,350.00
<b>TOTAL - 873 - GENERAL OPERATING</b>	<b>\$</b>	<b>94,960.00</b>
<b>901 - VISITORS BUREAU</b>		
Operating	\$	120,000.00
<b>TOTAL - 901 - VISITORS BUREAU</b>	<b>\$</b>	<b><u>120,000.00</u></b>
<b>TOTAL - HOTEL / MOTEL TAX FUND</b>	<b>\$</b>	<b>214,960.00</b>
<b>707 - MUSEUM TRUST FUND</b>		
Operating	\$	6,610.00
<b>TOTAL - MUSEUM TRUST FUND</b>	<b>\$</b>	<b>6,610.00</b>
<b>732 - POLICE PENSION FUND</b>		
Operating	\$	372,500.00
<b>TOTAL - POLICE PENSION FUND</b>	<b>\$</b>	<b>372,500.00</b>
<b>733 - FIRE PENSION FUND</b>		
Operating	\$	342,500.00
<b>TOTAL - FIRE PENSION FUND</b>	<b>\$</b>	<b>342,500.00</b>

<b>770 - UTILITY DEPOSIT TRUST FUND</b>			
Operating		\$ 50,000.00	
<b>TOTAL - UTILITY DEPOSIT TRUST FUND</b>			<b>\$ 50,000.00</b>
<b>780 - LAW ENFORCEMENT TRUST FUND</b>			
Operating		\$ 12,000.00	
<b>TOTAL - LAW ENFORCEMENT TRUST FUND</b>			<b>\$ 12,000.00</b>
<b>786 - HEALTH TRUST FUND</b>			
Operating		\$ 2,796,200.00	
<b>TOTAL - HEALTH TRUST FUND</b>			<b>\$ 2,796,200.00</b>
<b>792 - FIRE &amp; RESCUE TRUST FUND</b>			
Operating		\$ 37,635.00	
<b>TOTAL - FIRE &amp; RESCUE TRUST FUND</b>			<b>\$ 37,635.00</b>
<b>852 - SPECIAL ASSESSMENT DEBT FUND</b>			
Operating		\$ 119,266.00	
<b>TOTAL - SPECIAL ASSESSMENT DEBT FUND</b>			<b>\$ 119,266.00</b>
<b>GRAND TOTAL - ALL FUNDS</b>			<b>\$ 51,199,433.00</b>

**RECAPITULATION OF APPROPRIATIONS**

101	General Fund	\$ 9,016,791.00
201	Police & Fire Fund	5,465,026.00
202	State Highway Improvement Fund	82,000.00
204	Street Construction, Maintenance & Repair Fund	968,470.00
245	Indigent Drivers Alcohol Treatment Fund	20,000.00
247	Probation Services Fund	55,005.00
249	Probation Grant Fund	27,340.00
250	Court Computerization Fund	20,000.00
256	Special Project Fund	160,000.00
257	OVI Special Project Fund	5,000.00
260	Cable T.V. Fund	180,000.00
273	Housing Rehabilitation Fund	238,562.00
276	Revolving Loan Fund	630,000.00
278	Downtown Revitalization Fund	228,509.00
279	Micro Revolving Loan Fund	24,000.00
403	Capital Improvement Fund	4,616,447.00
585	Utilities Billing Office Fund	588,765.00
589	Sewer Capital Improvement Fund	1,920,500.00
590	Water Pollution Control Fund	12,147,414.00
591	Water Treatment Plant Fund	9,849,133.00
596	Refuse Collection Fund	1,004,800.00
704	Hotel / Motel Tax Fund	214,960.00
707	Museum Trust Fund	6,610.00
732	Police Pension Fund	372,500.00
733	Fire Pension Fund	342,500.00
770	Utility Deposit Trust Fund	50,000.00
780	Law Enforcement Trust Fund	12,000.00
786	Health Care Trust Fund	2,796,200.00
792	Fire & Rescue Trust Fund	37,635.00
852	Special Assessment Debt Fund	119,266.00
<b>GRAND TOTAL - ALL FUNDS</b>		<b>\$ 51,199,433.00</b>

**Section 2:** It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and that all deliberations that resulted in such formal action being taken, including all deliberations conducted by Committees of the Council, were conducted in meetings open to the public duly convened in compliance

with law.

**Section 3:** This Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Passed: December 16, 2014

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Mike McCann  
President of Council

Votes Approving Adoption: 7

Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Bob Armstrong  
Mayor

Approved: December 16, 2014

**CITY OF DEFIANCE - FY 2015  
APPROPRIATIONS ORDINANCE**

December 9, 2014

Members of Council,

Below are the items reflected in tonight's budget ordinance that have changed since our budget committee meetings in November.

**General Fund:**

Original	\$9,182,611
Health Insurance	(200,910)
Landscape Maintenance	20,000
Property & Liability Insurance	10,975
GIS Enhancement	4,115
Final Proposed	<u>\$9,016,791</u>
Net Reduction	(\$165,820)

Changes to the City's employee health care coverage have reduced the originally proposed 29.9% premium rate increase to 15.6%. The overall savings resulting from these changes total approximately \$340,000. The \$200,910 reflected above is the General Fund portion only.

**Other Changes:**

Added Greenler Water Tower Replacement to Water Fund budget, with offsetting revenue through loans. Cost projection is approximately \$2.5 million to be re-paid over 20 years.

Reduced Group 9 in Sewer Capital (Diehl Park Bioretention Area) by \$27,000 because design work will be started with 2014 funding.

Moved water and sewer line installation on Latchaw Drive from Capital Improvements budget to Water and Water Pollution Control budgets. (Split \$430,000 between the two.)

Thanks,



John W. Lehner  
Finance Director  
City of Defiance



# Ordinance No. 7685

## AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE PRESIDENT AND MEMBERS OF CITY COUNCIL ON AND AFTER JANUARY 1, 2016

WHEREAS, Ordinance 7012, passed January 6, 2009, established the salary of the President and all Members of Council during calendar years 2010, 2011, 2012, 2013, 2014 and 2015; and,

WHEREAS, Section 2.07 of the Charter of the City of Defiance, Ohio, requires Council to establish the salary of Members of Council by Ordinance and further requires that such Ordinance be passed on or before the deadline for the filing of declarations of candidacy for election to the office of President of Council or Member of Council; and,

WHEREAS, Council finds that no change in the salary established by Ordinance 7012 is appropriate at this time;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The annual salary of the President of Council and all Members of Council on and after January 1, 2016, shall be \$6,000.

Section 2: In addition to the salary provided by Section 1, and in accordance with Section 121.04 of the Codified Ordinances, the President and all Members of Council shall be eligible to participate in all programs through which the municipality provides accident, accidental death, accidental dismemberment, dental, health, health maintenance, hospitalization, life, medical, major medical, prescription drug, surgical, vision care, wellness and similar insurance to employees and appointed officials. Participation in such programs shall be voluntary and solely at the election of the individual official choosing to participate. One hundred percent (100%) of the premiums and other charges assessed for coverage extended to the President or Member of Council and his or her insured dependents shall be paid by the participating official and no portion of any such premium or other charge shall be paid by the municipality. Eligibility to enroll in insurance programs established for the benefit of full time municipal employees shall not be deemed "salary" within the meaning of this Ordinance or Section 2.07 of the Charter of the City of Defiance, Ohio, and no change to the coverages provided, premium payments required or obligations to pay costs incurred for the performance of covered services shall be deemed an increase, decrease or otherwise impermissible change to the salaries established by this Ordinance.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 4: This Ordinance shall be effective on the earliest date permitted by law and shall remain in full force and effect until superceded by the adoption of an Ordinance of later date pertaining to the salary and other compensation of the President or Members of Council.

Passed: December 16, 2014

Mike McCann  
President of Council

Attest: Lisa Elders, Clerk

Approved: December 16, 2014

Bob Armstrong  
Mayor