

ORDINANCE NO. 7686

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH THE OHIO HISTORIC PRESERVATION OFFICE AND MAUMEE VALLEY PLANNING ORGANIZATION AND DECLARING AN EMERGENCY

WHEREAS, The U.S. Department of Housing and Urban Development allocates Community Development Block Grant funds to the State of Ohio to financially assist local units of government with the cost of projects that advance Federal objectives; and,

WHEREAS, The City of Defiance has received and will continue to apply for Community Development Block Grants distributed by the Ohio Development Services Agency; and,

WHEREAS, The City of Defiance routinely uses the services of Maumee Valley Planning Organization to submit applications for CDBG assistance and administer such funds as are from time to time granted; and,

WHEREAS, Work undertaken with Federal financial assistance must be carried out in compliance with the Historic Preservation Act and regulatory requirements promulgated in the Code of Federal Regulations, 24 CFR Part 58; and,

WHEREAS, The Ohio Historic Preservation Office is required to oversee municipal activities undertaken with CDBG assistance to assure compliance with Federal historic preservation requirements and has traditionally entered into Programmatic Agreements with the City to facilitate performance of the State's oversight responsibilities; and,

WHEREAS, The Ohio Historic Preservation Office has requested municipal consent to amend the Programmatic Agreement expiring on December 31, 2014, to conform that agreement to recently revised provisions of 24 CFR Part 58 and has further proposed to enter into a Programmatic Agreement conforming to current regulatory requirements for the period January 1, 2015, through December 31, 2019;

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

Section 1: The City Administrator is authorized to: (1) amend the Programmatic Agreement expiring on December 31, 2014, in the manner requested by the Ohio Historic Preservation Office; (2) execute and deliver the proposed Programmatic Agreement for the period January 1, 2015, through December 31, 2019; and (3) enter into such agreements with Maumee Valley Planning Organization as may be deemed appropriate to assure municipal compliance with the obligations of the approved Programmatic Agreements.

Section 2: 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 3: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that immediate execution of the requested amendments to the Programmatic Agreement expiring December 31, 2014, and Programmatic Agreement established for calendar years 2015-2019 is required to preserve the municipality's continued eligibility to receive Community Development Block Grant assistance. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than 5 Members of Council and approval of the Mayor.

Passed: December 23, 2014

Mike McCann
President of Council

Votes in Favor of Adoption: 6

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: December 23, 2014

Bob Armstrong
Mayor

Ordinance No. 7687

AN ORDINANCE PERTAINING TO THE COMPENSATION OF NON-BARGAINING PERSONNEL DURING CALENDAR YEAR 2015 AND DECLARING AN EMERGENCY

WHEREAS, Codified Ordinance 147.20 requires Council to annually review the compensation of non-bargaining personnel; and,

WHEREAS, Council finds that the salary previously established for the position of Water Superintendent was predicated on the Superintendent's qualifications as an Ohio E.P.A. Class III licensed plant operator, that the Superintendent attained Class IV certification during calendar year 2014 as required for permanent appointment to the position by Ohio E.P.A. regulations and municipal employment policies and that the current salary is inadequate relative to prevailing wage earned by Ohio EPA Class IV licensed plant operators; and,

WHEREAS, Council approved a collective bargaining agreement with A.F.S.C.M.E Local 2213, that accords Members of the bargaining unit a 2.75% pay increase for 2015; and,

WHEREAS, Council finds that equivalent compensation should be paid supervisory and other non-bargaining personnel to maintain wage parity between unionized and non-unionized employees;

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

Section 1: On and after January 1, 2015, the annual salary of the Water Superintendent shall be \$71,842 and the base rate of pay or salary of all other full-time and permanent part-time municipal employees assigned to a non-bargaining unit position on December 31, 2014, and not then in a probationary status, shall be 102.75% of that individual's base rate or salary on December 31, 2014.

Section 2: 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 or in Executive Session duly convened in accordance with law.

Section 3: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that administrative efficiency requires that wage adjustments enacted by this Ordinance take effect at the same time as wage adjustments made through collective bargaining. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than 5 Members of Council and approval of the Mayor.

Passed: December 23, 2014

Mike McCann
President of Council

Votes in Favor of Adoption: 6

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: December 23, 2014

Bob Armstrong
Mayor