

# Ordinance No. 7589

## AN ORDINANCE PERTAINING TO THE COMPENSATION OF NON-BARGAINING PERSONNEL DURING CALENDAR YEAR 2014 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 compensation provided for the position of Account Supervisor in the Utilities Billing Office is inadequate in relation to wages paid members of A.F.S.C.M.E. Local 2213 for the performance of similar duties and further finds that the salary provided for the position of Assistant Superintendent of the Water Pollution Control Division is inadequate in relation to the salaries established for supervisory personnel with similar responsibilities in other divisions of the Department of Service and Safety; and,

WHEREAS, Council has approved collective bargaining agreements with A.F.S.C.M.E Local 2213, Defiance Firefighters Local 918, and Defiance Police Officers Association Local 166 which accord the Members of each bargaining unit a 1.5% pay increase for 2014; and,

WHEREAS, Council finds that equivalent compensation should be paid to 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: The compensation of the UBO Account Supervisor is hereby increased from \$16.61 to \$18.17 per hour.

Section 2: The salary of the Assistant Superintendent of the Water Pollution Control Division is hereby increased from \$46,057 to \$52,660 per year.

Section 3: 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, 2013, and not then in a probationary status, shall be 101.5% of that individual's salary or base rate of pay on December 31, 2013.

Section 4: All wage increases enacted by this Ordinance shall be retroactive to January 1, 2014. The Finance Director is directed to disburse all additional wages and salary accrued between January 1, 2014, and the close of the pay period immediately preceding the effective date of this Ordinance on February 28, 2014.

Section 5: 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 6: 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: February 25, 2014

Mike McCann  
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: February 27, 2014

Bob Armstrong  
Mayor



# Ordinance No. 7590

## AN ORDINANCE AUTHORIZING THE PURCHASE OF MICROSOFT ENTERPRISE SOFTWARE AND DECLARING AN EMERGENCY

WHEREAS, The expected duty cycle of an Email server and related software is 5 to 7 years and the principal hardware components of the municipal Email system are now 12 to 14 years old, technically obsolete and failing; and,

WHEREAS, Recent efforts to repair equipment have proven to be only marginally successful due to the unavailability of hardware components and the inability of the servers to support current software due to inadequate processing speed, inadequate memory capacity and other deficiencies related to the age of the equipment; and,

WHEREAS, the Board of Control has approved the purchase of computers conforming to specifications recommended by the municipality's designated IT consultant, Metalink Technologies; and,

WHEREAS, the cost of software licenses required to establish and lawfully operate an email system on the newly purchased hardware exceeds the purchasing authority of the Board of Control;

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

Section 1: The City Administrator is authorized to purchase a sufficient number of Microsoft Exchange and Windows Server licenses to provide Members of Council and all municipal employees to whom an Email address has been issued with lawful access to the municipal Email system at a cost of not more than \$19,000.00 as detailed in the Metalink Technologies proposal dated February 17, 2014.

Section 2: The City Finance Director is authorized to pay costs incurred in accordance with the authorized contract from line 403-901-5-2-963-000 of the 2014 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 is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that the software to be purchased pursuant to the authority of this Ordinance is essential to maintain efficient governmental operations and recent and increasingly frequent system failures necessitate that the system up-grades be implemented as quickly as possible. 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: February 25, 2014

Mike McCann  
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: February 27, 2014

Bob Armstrong  
Mayor

# Ordinance No. 7591

## AN ORDINANCE AUTHORIZING A CONTRACT WITH KOESTER CORPORATION AND DECLARING AN EMERGENCY

WHEREAS, The municipality relies on proprietary Supervisory Control and Data Acquisition software supplied by Koester Corporation to automate industrial operations conducted at the Water Treatment Works; and,

WHEREAS, Ohio EPA regulations require turbidity measurements to be taken and recorded at 15 minute intervals and the existing software has proven to be inadequate to assure consistent regulatory compliance necessitating an immediate software up-grade to avoid the imposition of Civil Penalties and other administrative sanctions;

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

Section 1: The City Administrator is authorized to purchase all software and necessary customization and installation services detailed in the proposal dated December 16, 2013, from Koester Corporation at a cost of not more than \$23,245.00.

Section 2: The City Finance Director is authorized to pay costs incurred in accordance with the authorized contract from line 591-537-5-2-980-880 of the 2014 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 is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that the software to be supplied pursuant to the authorized contract is essential to assure compliance with water quality standards and comply with regulatory requirements. 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: February 25, 2014

Mike McCann  
President of Council

Votes in Favor of Adoption: 7  
Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: February 27, 2014

Bob Armstrong  
Mayor

# ORDINANCE NO. 7592

## AN ORDINANCE AUTHORIZING THE AWARD OF CONTRACT TO GLEASON BROTHERS, LLC TO INSTALL SEWER IMPROVEMENTS AND DECLARING AN EMERGENCY

WHEREAS, Ordinance 7551, passed November 12, 2013, consented to improvement of State Route 18 by the Department of Transportation and specifically authorized the Director of Transportation to incorporate sewer facilities into the highway crossing of Preston Run at municipal expense; and,

WHEREAS, It is necessary to reconstruct sewerage in the vicinity of Preston Run to connect the collection system to the crossing improvements to be installed by the State of Ohio; and,

WHEREAS, Bids were properly solicited for construction of the necessary connecting infrastructure and Gleason Brothers, LLC., of Holland, Ohio, submitted the lowest responsive and responsible proposal in the amount of \$91,500.50;

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

Section 1: The City Administrator is authorized to award a contract to Gleason Brothers, LLC., to supply all labor, materials, equipment and fuel required to construct sewer improvements in substantial conformity with the designs and material specifications on file as "East Second Street Sanitary Sewer Repair Project No. 1402" at the price and on the terms and conditions of contract established by the solicitation and accepted bid.

Section 2: The Finance Director is authorized to pay all costs arising under the authorized contract from the Water Pollution Control Fund, 2014 Budgetary Line 590-540-5-2-980-880.

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 is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that the work to be performed pursuant to the authorized contract must be completed by June 1, 2014, to coordinate municipal construction activities with ODOT production schedules pertaining to construction of the State Route 18 crossing of Preston Run. 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: February 25, 2014

Mike McCann  
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: February 27, 2014

Bob Armstrong  
Mayor

# Ordinance No. 7593

## AN ORDINANCE AUTHORIZING A CONTRACT WITH SINES EXCAVATING, LLC AND DECLARING AN EMERGENCY

WHEREAS, Resolution 2443, passed March 5, 2013, accepted a grant of Federal and State Flood Hazard Mitigation Program funds to acquire flood prone lands, demolish repetitive flood loss structures and preserve the vacant ground for public use; and,

WHEREAS, Ordinances 7541, 7543 and 7544, authorized the acquisition of three flood prone Auglaize Street properties; and,

WHEREAS, The City is obligated by the terms of the grant to demolish all structures located on the acquired properties by April 16, 2014; and,

WHEREAS, Remedial actions required to eliminate asbestos hazards in advance of demolition have been completed at the direction of the City's designated agent, Maumee Valley Planning Organization; and,

WHEREAS, Proposals to supply all labor, material, equipment and fuel required to demolish the structures in accordance with program requirements have been properly solicited and Sines Excavating, LLC., submitted the lowest priced responsive and responsible proposal in the amount of \$26,105.00;

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

Section 1: As agent for the municipality, Maumee Valley Planning Organization is authorized execute a contract with Sines Excavating, LLC., to demolish structures located at 121, 204 and 205 Auglaize Street and dispose of the debris in accordance with the terms of the solicitation, accepted proposal and all applicable Federal, State and municipal regulations.

Section 2: The City Finance Director is authorized to pay costs incurred in accordance with the authorized contract from line 403-901-5-2-979-111 of the 2014 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 is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that the work to be undertaken pursuant to the authorized contract must be completed by April 16, 2014, to comply with grant requirements. 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: February 25, 2014

Mike McCann  
President of Council

Votes in Favor of Adoption: 7  
Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: February 27, 2014

Bob Armstrong  
Mayor

# Ordinance No. 7594

## AN ORDINANCE AUTHORIZING THE PURCHASE A FORD F-350 PICK-UP TRUCK THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM

WHEREAS, A 2003 pick-up truck assigned to the Division of Streets is scheduled for replacement due to age and condition; and,

WHEREAS, The City Administrator has determined that the vehicle to be retired is serviceable and suitable for use as a cemetery maintenance vehicle; and,

WHEREAS, All local new vehicle dealers were invited to quote a price to supply a vehicle conforming to specifications appropriate to the intended use and all received proposals exceeded the cost at which a vehicle conforming to the specification can be purchased through the Ohio Department of Administrative Services Co-Operative Purchasing Program;

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

Section 1: The City Administrator is authorized to purchase one 2014 Ford F-350 regular cab, four wheel drive, pick-up truck pursuant to State of Ohio, Department of Administrative Services, Co-Operative Purchasing Contract RS901514 and at the State price of \$21,170.00. The delivered vehicle shall conform to the product description detailed in the price quotation received from Walt Sweeney Ford, Government Sales Department, dated February 13, 2014.

Section 2: The Finance Director is authorized to pay the approved purchase price from line 403-901-5-2-978.072 of the 2014 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: February 25, 2014

Mike McCann  
President of Council

Attest: Lisa Elders, Clerk

Approved: February 27, 2014

Bob Armstrong  
Mayor

# Ordinance No. 7595

## AN ORDINANCE AUTHORIZING THE PURCHASE A FORD F-550 CAB AND CHASSIS FROM MARK MOATS FORD, INC.

WHEREAS, A 1996 dump truck assigned to the Division of Streets is scheduled for replacement due to age and condition; and,

WHEREAS, All local new vehicle dealers were invited to quote a price to supply a vehicle conforming to specifications appropriate to the intended use and Mark Moats Ford, Inc., of Defiance, Ohio, submitted the lowest cost proposal; and,

WHEREAS, The price proposed by Mark Moats Ford, Inc., is less than the cost at which an equivalent vehicle may be purchased through the Ohio Department of Administrative Services Co-Operative Purchasing Program;

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

Section 1: The City Administrator is authorized to purchase one 2015 Ford F-550 cab and four wheel drive chassis conforming to the product description detailed by the proposal dated January 23, 2014, from Mark Moats Ford, Inc., and at the proposed price of \$32,775.00.

Section 2: The Finance Director is authorized to pay the approved purchase price from line 403-901-5-2-978.095 of the 2014 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: February 25, 2014

Mike McCann  
President of Council

Attest: Lisa Elders, Clerk

Approved: February 27, 2014

Bob Armstrong  
Mayor

# Ordinance No. 7596

## AN ORDINANCE AUTHORIZING THE PURCHASE A FORD F-550 CAB AND CHASSIS FROM MARK MOATS FORD, INC.

WHEREAS, A 1998 dump truck assigned to the Division of Water is scheduled for replacement due to age and condition; and,

WHEREAS, All local new vehicle dealers were invited to quote a price to supply a vehicle conforming to specifications appropriate to the intended use and Mark Moats Ford, Inc., of Defiance, Ohio, submitted the lowest cost proposal; and,

WHEREAS, The price proposed by Mark Moats Ford, Inc., is less than the cost at which an equivalent vehicle may be purchased through the Ohio Department of Administrative Services Co-Operative Purchasing Program;

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

Section 1: The City Administrator is authorized to purchase one 2015 Ford F-550 cab and four wheel drive chassis conforming to the product description detailed by the proposal dated January 23, 2014, from Mark Moats Ford, Inc., and at the proposed price of \$32,775.00.

Section 2: The Finance Director is authorized to pay the approved purchase price from line 591-538-5-2-945.000 of the 2014 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: February 25, 2014

Mike McCann  
President of Council

Attest: Lisa Elders, Clerk

Approved: February 27, 2014

Bob Armstrong  
Mayor

ORDINANCE No. 7597

**AN ORDINANCE AMENDING ORDINANCE NO. 7563 PASSED  
DECEMBER 10, 2013 TO MAKE APPROPRIATIONS FOR  
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE  
CITY OF DEFIANCE, OHIO, DURING THE PERIOD OF  
JANUARY 1, 2014 THROUGH DECEMBER 31, 2014.**

**WHEREAS**, the City Finance Director has determined that additional appropriations are necessary to provide for expenditures; and

**WHEREAS**, that in addition to approving the expenditure of all public funds, Council must approve the appropriation of all public funds;

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

**Section 1:** That, to provide for expenses of the City of Defiance, State of Ohio, during the period of January 1, 2014 through December 31, 2014, Ordinance No. 7563 is hereby amended by appropriation changes to the following accounts:

<b>704-Hotel/Motel Tax Fund</b>			
Operating	\$	3,000.00	
<b>TOTAL - 704-Hotel/Motel Tax Fund</b>			<b>\$ 3,000.00</b>
<b>793-Fire Damage Repair &amp; Removal Fund</b>			
Operating	\$	12,000.00	
<b>TOTAL - 793-Fire Damage Repair &amp; Removal Fund</b>			<b>\$ 12,000.00</b>
<b>GRAND TOTAL - ALL FUNDS</b>			<b>\$ 15,000.00</b>

**RECAPITULATION OF APPROPRIATIONS**

704	Hotel/Motel Tax Fund	\$	3,000.00
793	Fire Damage Repair & Removal Fund	\$	12,000.00
<b>GRAND TOTAL - ALL FUNDS</b>			<b>\$ 15,000.00</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.

Mike McCann

President of Council

Passed: February 25, 2014

Attest: Lisa Elders, Clerk

Votes Approving Adoption: 6

Votes Opposing Adoption: 0

Approved: February 27, 2014

By: Bob Armstrong, Mayor

**CITY OF DEFIANCE - FY 2014  
SUPPLEMENTAL APPROPRIATIONS ORDINANCE**

February 21, 2014

Members of Council,

Below are the specific line items associated with the amending appropriation ordinance. If you have any questions, please contact me.

**General Fund:**

None.

**Other Funds:**

\$3,000 in the Hotel/Motel Tax Fund due to an unanticipated increase in rent and utilities for the Tuttle Museum.

\$12,000 in the Fire Damage Repair & Removal Fund to permit the refund of insurance monies received for dwelling fires on Ayersville Avenue and Westgate Street.

Thanks,



John W. Lehner  
Finance Director  
City of Defiance

Fund No.	Dept No.	Account No.	Account Name	Amount	Department
704	873	955000	Miscellaneous	3,000	General Operating
<b>TOTAL - Hotel/Motel Tax Fund</b>				<u>3,000.00</u>	
793	338	964000	Refund	12,000.00	
<b>TOTAL - Fire Damage/Repair /Removal Fund</b>				<u>12,000.00</u>	
<b>GRAND TOTAL - ALL FUNDS</b>				<u>15,000.00</u>	

## RESOLUTION No. 2464

### A RESOLUTION DECLARING THE SERVICES TO BE PROVIDED TERRITORY PROPOSED FOR ANNEXATION, ESTABLISHING ZONING RESTRICTIONS PERTAINING THERETO AND DECLARING AN EMERGENCY

Whereas, Napoleon Wash-In-Fill, Inc. has filed a Petition seeking to annex a part of Lot 69 in and of the Saunders-Snyder Addition, together with adjacent unsubdivided lands comprising a total of 0.657 acres of land located in Section 30, Richland Township, Defiance County, Ohio, to the City of Defiance; and,

Whereas, Revised Code Section 709.023(C) requires Council to adopt a Resolution declaring the services to be provided the territory upon annexation and file the same with the Board of County Commissioners within 20 days following the filing of the Petition;

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

Section 1: The City of Defiance consents to approval of the aforesaid Petition by the Board of County Commissioners and will maintain any street or road divided or segmented by the annexation.

Section 2: Lands described by the Petition will be provided all customary general governmental and utility services in the same manner and on the same terms and conditions as are applicable to the provision of like-kind services to other lands within the territorial boundaries of the municipality. In-City rates for water and sewer services furnished to existing consumers located within the territory will take effect on the first day of the first billing cycle beginning after the effective date of the annexation. Billing and payment dates previously established for each consumer will not be altered and charges accrued during the billing cycle in which the annexation takes effect will not be prorated to the date on which the annexation takes effect.

Section 3: In the event land within the annexation territory is accorded a municipal zoning designation that permits the land to be used in a manner that is clearly incompatible with the uses permitted by township zoning of adjacent lands, Council will provide for the establishment of a buffer conforming to the requirements of Ohio Revised Code Section 709.23(C) in the Ordinance establishing the municipal zoning district.

Section 4: It is found and determined that all legislative actions pertaining to the adoption of this Resolution and all deliberations that affected or influenced all such legislative acts, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 5: This Resolution is declared to be an emergency measure necessary to the preservation of the health, safety and welfare of the community for the reason that statutory law requires this Resolution to be promptly filed with the Board of County Commissioners. 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: February 25, 2014

Mike McCann  
President of Council

Votes Approving Adoption: 7  
Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: February 27, 2014

Bob Armstrong  
Mayor

## RESOLUTION No. 2465

### A RESOLUTION DECLARING THE SERVICES TO BE PROVIDED TERRITORY PROPOSED FOR ANNEXATION, ESTABLISHING ZONING RESTRICTIONS PERTAINING THERETO AND DECLARING AN EMERGENCY

Whereas, Faith Tabernacle Church, also known as, Ohio District, Pentecostal Church of God of America, Inc., has filed a Petition seeking to annex land located in Section 23, Noble Township, Defiance County, Ohio, to the City of Defiance; and,

Whereas, Revised Code Section 709.023(C) requires Council to adopt a Resolution declaring the services to be provided the territory upon annexation and file the same with the Board of County Commissioners within 20 days following the filing of the Petition;

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

Section 1: The City of Defiance consents to approval of the aforesaid Petition by the Board of County Commissioners. The City of Defiance further represents that an Annexation Agreement exists between the City and Noble Township, a copy of which is attached hereto, which constitutes consent to the annexation by Noble Township. The City will honor the Annexation Agreement notwithstanding that the Petition has been filed pursuant to O.R.C, §709.023 rather than O.R.C, §709.022 and will maintain any street or road divided or segmented by the annexation in accordance with the agreement.

Section 2: Lands described by the Petition will be provided all customary general governmental and utility services in the same manner and on the same terms and conditions as are applicable to the provision of like-kind services to other lands within the territorial boundaries of the municipality. In-City rates for water and sewer services furnished to existing consumers located within the territory will take effect on the first day of the first billing cycle beginning after the effective date of the annexation. Billing and payment due dates previously established for each consumer will not be altered and charges accrued during the billing cycle in which the annexation takes effect will not be prorated to the date on which the annexation takes effect.

Section 3: In the event land within the annexation territory is accorded a municipal zoning designation that permits the land to be used in a manner that is clearly incompatible with the uses permitted by township zoning of adjacent lands, Council will provide for the establishment of a buffer conforming to the requirements of Ohio Revised Code Section 709.23(C) in the Ordinance establishing the municipal zoning district.

Section 4: It is found and determined that all legislative actions pertaining to the adoption of this Resolution and all deliberations that affected or influenced all such legislative acts, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 5: This Resolution is declared to be an emergency measure necessary to the preservation of the health, safety and welfare of the community for the reason that statutory law requires this Resolution to be promptly filed with the Board of County Commissioners. 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: February 25, 2014

Mike McCann  
President of Council

Votes Approving Adoption: 7

Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: February 27, 2014

Bob Armstrong  
Mayor