

Ordinance No. 7601

AN ORDINANCE AUTHORIZING THE PURCHASE OF A CARGO VAN FROM INTEGRITY CHRYSLER-JEEP-DODGE-RAM FOR USE BY THE ENGINEERING DIVISION

WHEREAS, a 1995 Ford Aerostar and 1997 Ford Explorer assigned to the Engineering Division are scheduled for replacement due to age and condition; and,

WHEREAS, the City Administrator has determined that both vehicles can be replaced by a single cargo van; and,

WHEREAS, the City Administrator solicited price quotations from all local new vehicle dealers and from the Department of Administrative Services to supply a suitably equipped cargo van and Integrity Chrysler-Jeep-Dodge-Ram of Defiance, Ohio, submitted the lowest cost proposal, net of trade-in allowances;

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 Ram Cargo Van conforming to the product description and on the terms of sale proposed by the quotation submitted by Integrity Chrysler-Jeep-Dodge-Ram on March 18, 2014.

Section 2: The City Finance Director is authorized to pay the approved net purchase price of \$18,731.00 from 2014 budget line 403-901-5-2-974042.

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: April 1, 2014

Mike McCann
President of Council

Attest: Lisa Elders, Clerk

Approved: April 1, 2014

Bob Armstrong
Mayor

Ordinance No. 7602

AN ORDINANCE CONSENTING TO THE INSPECTION OF BRIDGES WITHIN THE MUNICIPALITY, PLEDGING COOPERATION WITH THE DIRECTOR OF TRANSPORTATION AND DECLARING AN EMERGENCY
(Preliminary Legislation: ODOT Project ID No. 97103)

WHEREAS, the City is obligated to periodically inspect vehicular bridges that are not maintained by the County Engineer or Ohio Department of Transportation; and,

WHEREAS, the Department of Transportation has established a voluntary program to assist municipalities by contracting with qualified consultants to perform the required inspection services at State expense; and,

WHEREAS, Council desires to participate in the program and expresses gratitude to the Department of Transportation for relieving the municipality of a burdensome obligation;

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

Section 1: Consent Statement: The City of Defiance consents to the performance of all work proposed to be undertaken within the municipality as ODOT Project ID No. 97103.

Section 2: Cooperation Statement: The City will participate in the project in the following manner:

- A. The Department of Transportation shall pay 100% of the cost of Bridge Inspection Program Services described by the Scope of Services appended to contracts awarded consultants engaged by the Department of Transportation on behalf of participating municipalities.
- B. The City of Defiance shall pay 100% of the cost of any service or feature that is not included in the Scope of Services to be performed under the State Contract.

Section 3: Utilities and Right-of-Way Statement: The City agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

Section 4: Authority to Sign: The City Administrator is authorized to enter into and execute such agreements with the Director of Transportation as may be appropriate to secure municipal participation in the program.

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 safety and welfare of the community for the reason that municipal consent to proceed with the work must be filed with the Director of Transportation prior to the award of State contracts in order for the City to participate in and benefit from the State inspection program. As such, this Ordinance shall take immediate effect upon passage with the concurrence of not less than 5 Members of Council and approval of the Mayor.

Mike McCann
President of Council

Passed: April 1, 2013

Votes for Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: April 1, 2013

Bob Armstrong
Mayor

ORDINANCE NO. 7603

AN ORDINANCE APPROVING AND RATIFYING THE ESTABLISHMENT OF THE DEFIANCE AREA FOUNDATION ENDOWED DONOR ADVISED FUND WITH THE ANDREW TUTTLE MEMORIAL MUSEUM OF THE CITY OF DEFIANCE OHIO AND DECLARING AN EMERGENCY

WHEREAS, the municipal government accepted a collection of coins, stamps and historic artifacts bequeathed by Andrew F. Tuttle and established the Andrew Tuttle Memorial Museum in conformity with the terms of the bequest; and,

WHEREAS, it is necessary to segregate assets bequeathed or donated to the municipality by Andrew Tuttle and others for museum purposes from assets held for general governmental purposes and to provide for the investment and expenditure of such moneys as may from time to time be generated by the sale of museum assets; and,

WHEREAS, it is necessary to segregate moneys that may be privately donated for museum purposes from general governmental receipts, facilitate the acceptance of such donations and provide for the investment and expenditure of moneys donated for museum purposes; and,

WHEREAS, appropriate documents have been prepared to establish an endowed donor advised fund to receive, invest and disburse moneys generated by the sale of museum assets or receipt of donations to the museum; and,

WHEREAS, the Mayor has approved the aforesaid documents subject to Council ratification by Ordinance;

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

Section 1: The "Defiance Area Foundation Endowed Donor Advised Fund Agreement with The Andrew Tuttle Memorial Museum of the City of Defiance", as approved by the Mayor on March 18, 2014, is hereby approved, ratified and confirmed.

Section 2: The Finance Director is directed to deposit all proceeds from the sale of assets deaccessioned from the collections of the Andrew Tuttle Memorial Museum to the Defiance Area Foundation Endowed Donor Advised Fund established by Section 1 of this Ordinance. All proceeds generated by the sale of deaccessioned museum assets shall be credited to the public sub-fund unless otherwise provided by the Ordinance authorizing the sale.

Section 3: All requests to the Board of Trustees of the Defiance Area Foundation for a distribution of funds from the Defiance Area Foundation Endowed Donor Advised Fund shall be communicated to the Board by the Finance Director of the City of Defiance holding office at the time such request is made.

Section 4: 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 5: This Ordinance is declared to be an emergency measure necessary to preserve the welfare of the community for the reason that the Finance Director has received proceeds from the sale of museum assets liquidated pursuant to Ordinance 7550 that must be promptly deposited to the public sub-fund of the Defiance Area Foundation Endowed Donor Advised Fund in order to segregate the sale proceeds from general revenues as recommended by the City's auditors. 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: April 1, 2014

Mike McCann
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: April 1, 2014

Bob Armstrong
Mayor

Ordinance No. 7604

AN ORDINANCE AUTHORIZING THE PURCHASE OF A PICK-UP TRUCK FROM MARK MOATS FORD, INC., FOR USE BY THE WATER POLLUTION CONTROL DIVISION

WHEREAS, the City Administrator solicited price quotations from all local new vehicle dealers and from the Department of Administrative Services to supply a four wheel drive, crew cab pick-up truck for use by the Water Pollution Control Division and Mark Moats Ford, Inc., of Defiance, Ohio, submitted the lowest cost proposal;

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-150 pick-up truck conforming to the product description and on the terms of sale proposed by the quotation submitted by Mark Moats Ford, Inc. on January 22, 2014.

Section 2: The City Finance Director is authorized to pay the approved purchase price of \$28,590.00 from 2014 budget line 590-540-5-2-730117.

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: April 1 _____, 2014

Mike McCann _____
President of Council

Attest: Lisa Elders _____, Clerk

Approved: April 1 _____, 2014

Bob Armstrong _____
Mayor

ORDINANCE No. 7605

**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:

	101-General Fund 220-Civil Service		
Operating	\$	10,000.00	
TOTAL - 220-Civil Service			\$ 10,000.00
TOTAL - GENERAL FUND			\$ 10,000.00
	403-Capital Improvements Fund		
Operating	\$	161,100.00	
TOTAL - 403-Capital Improvements Fund			\$ 161,100.00
	793-Fire Damage Repair & Removal Fund		
Operating	\$	10,000.00	
TOTAL - 793-Fire Damage Repair & Removal Fund			\$ 10,000.00
GRAND TOTAL - ALL FUNDS			\$ 181,100.00

RECAPITULATION OF APPROPRIATIONS

101	General Fund	\$	10,000.00
403	Capital Improvements Fund	\$	161,100.00
793	Fire Damage Repair & Removal Fund	\$	10,000.00
GRAND TOTAL - ALL FUNDS			\$ 181,100.00

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: April 1, 2014

Attest: Lisa Elders, Clerk

Votes Approving Adoption: 7

Votes Opposing Adoption: 0

Approved: April 1, 2014

By: Bob Armstrong, Mayor

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

March 21, 2014

Members of Council,

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

General Fund:

\$10,000 for Civil Service to account for additional testing costs associated with the hiring of a new Fire Chief, in addition to new Police and Fire personnel. Approximately \$1,100 will be offset by corresponding application fees.

Capital Improvements Fund:

All of the items below are for projects that were in progress at the end of 2013, for which funding needs to be re-authorized to complete:

\$20,000 for final landscaping and bio-retention area for the Library Parking Lot project.

\$95,750 to carry forward the unexpended balance for the Sensory Effects fencing project.

\$13,000 to cover the balance of ongoing engineering services for the S. Clinton St. Widening project in 2014. While the construction is scheduled for 2015, there may be some ROW acquisition costs later in 2014 (est. \$85,000). Will follow-up if necessary.

\$7,350 to finalize the DT Streetscape project with "furnishings" -- benches, trash bins, etc.

\$25,000 to carry forward the unexpended balance for the Third Street sidewalk repair project.

Other Funds:

\$10,000 in the Fire Damage Repair & Removal Fund to permit the refund of insurance monies received for a dwelling fire on Washington Street.

Thanks,

John W. Lehner
Finance Director
City of Defiance

Fund No.	Dept No.	Account No.	Account Name	Amount	Division
101	220	840000	Consultant	10,000	Civil Service
TOTAL - General Fund				10,000.00	
403	901	974034	Public Library	20,000	
403	901	978047	Fencing	95,750	
403	901	979062	S. Clinton St. Widening	13,000	
403	901	979101	Downtown Streetscape	7,350	
403	901	979107	Third Street Sidewalk Repairs	25,000	
TOTAL - Capital Improvements Fund				161,100.00	
793	338	964000	Refund	10,000.00	
TOTAL - Fire Damage/Repair /Removal Fund				10,000.00	
GRAND TOTAL - ALL FUNDS				181,100.00	

Ordinance No. 7606

AN ORDINANCE ACCEPTING THE ANNEXATION OF 7.71 ACRES OF LAND LOCATED IN SECTION 29, DEFIANCE TOWNSHIP

Whereas, Tri State Trans-Load, Ltd., filed a Petition to annex 7.71 acres of land located in Section 29, Defiance Township, Defiance County, Ohio, to the City of Defiance; and,

Whereas, By Resolution passed January 14, 2014, Council consented to allowance of the Petition by the Board of County Commissioners and declared the services to be provided the territory upon annexation; and,

Whereas, The Board of County Commissioners approved the Petition and the Clerk of Council has made the Transcript of Proceedings and related documents available for public inspection in the manner and for the time required by law; and,

Whereas, Council finds that acceptance of the territory is in the best interests of the municipality;

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

Section 1: The Petition of Tri State Trans-Load, Ltd., to annex 7.71 acres of land located in Defiance Township, Section 29, as approved by the Board of County Commissioners of Defiance County, Ohio, is approved and the territory therein described is accepted. All municipal officials are authorized to execute such plats and other documents as may be appropriate to conclude the proceedings.

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 shall be effective on the earliest date permitted by law.

Passed: April 1, 2014

Mike McCann
President of Council

Attest: Lisa Elders, Clerk

Approved: April 1, 2014

Bob Armstrong
Mayor

Ordinance No. 7607

AN ORDINANCE APPROVING THE PURCHASE OF PLAYGROUND EQUIPMENT FOR INSTALLATION IN LATTY'S GROVE VETERAN'S PARK

WHEREAS, provision was made in the 2014 annual budget for the purchase and installation of playground equipment in Latty's Grove Veteran's Park; and,

WHEREAS, proposals to supply equipment suitable for use by children between the ages of 5 and 12 were solicited from a variety of sources; and,

WHEREAS, the Park Board recommends purchase of the equipment described by the proposal submitted by David Williams Parks and Recreation Equipment of Alliance, Ohio;

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

Section 1: the City Administrator is authorized to purchase playground equipment conforming to the product descriptions and specifications detailed in quote 34481 from David Williams Parks and Recreation Equipment at the prices and on the terms of sale therein proposed.

Section 2: The Finance Director is directed to pay \$19,000.00 of the accepted purchase price from the Capital Improvements Fund, 2014 Budgetary Line 403-901-978.050, and the \$13,569.30 balance of the accepted purchase price from the Parks and Recreation Trust Fund, 2014 Budgetary Line 794-751-980.880.

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 shall be effective on the earliest date permitted by law.

Passed: April 1, 2014

Mike McCann
President of Council

Attest: Lisa Elders, Clerk

Approved: April 1, 2014

Bob Armstrong
Mayor