

ORDINANCE NO. 7663

AN ORDINANCE AUTHORIZING THE CITY HISTORIAN TO SELL COINS DEACCESSIONED FROM THE ANDREW L. TUTTLE MEMORIAL MUSEUM BY PUBLIC AUCTION 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, Chapter 165 of the Codified Ordinances, as most recently amended by Ordinance 7603, empowers the Andrew L. Tuttle Memorial Museum Board to deaccession artifacts from the collection and provides for the segregation, investment and use of moneys received as proceeds from the sale of deaccessioned artifacts; and,

WHEREAS, Numismatic Auctions, L.L.C. is uniquely qualified to provide consultive services to the Andrew L. Tuttle Memorial Museum and auction services to the municipal government by reason of a long relationship with Andrew L. Tuttle, participation in the assembly of the Tuttle collection and intimate knowledge of the collection contents; and,

WHEREAS, the Museum Board engaged Numismatic Auctions, L.L.C. to assist the Board in making determinations about the relevance of various artifacts to museum purposes and provide guidance about the time, place and manner of sale likely to maximize the liquidation value of deaccessioned artifacts; and,

WHEREAS, the Andrew L. Tuttle Memorial Museum Board deaccessioned 312 individual coins and 18 proof sets by appropriate action taken on September 18, 2014, and recommends that the deaccessioned coins be liquidated by sale at a public auction to be conducted by Numismatic Auctions, L.L.C. in November, 2014; and,

WHEREAS, Numismatic Auctions, L.L.C. has offered to sell deaccessioned museum artifacts at discounted commission rates;

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

Section 1: The City Historian is authorized to execute and deliver the proposed consignment agreement establishing a continuing relationship between the municipality and Numismatic Auctions, L.L.C. All individual coins and proof sets deaccessioned from the Andrew L. Tuttle Memorial Museum on September 18, 2014, are declared to be municipal surplus and the City Historian is authorized to sell the same at public auction conducted in conformity with the terms of the consignment. All proceeds of sale shall be deposited to the public sub-fund of the Endowed Donor Advised Fund established by Ordinance 7603.

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 the welfare of the community for the reason that immediate execution of the authorized consignment agreement is required to assure proper advertisement of the deaccessioned artifacts in advance of the scheduled sale. 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: September 23, 2014

Mike McCann
President of Council

Votes in Favor of Adoption: 6

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: September 23, 2014

Bob Armstrong
Mayor

ORDINANCE NO. 7664

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONTRACT TO REFORESTATION & WILDLIFE SERVICES AND DECLARING AN EMERGENCY

WHEREAS, the City undertook work to stabilize the Auglaize riverbank between Second and Fort Streets; and,

WHEREAS, the permit issued by the US Army Corps of Engineers authorizing the work requires removal of invasive species and replanting of the upper bank to prevent erosion above the level of the installed breakwater improvement; and,

WHEREAS, bids were solicited to undertake the required work and Reforestation & Wildlife Services of Ft. Recovery, 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 award a contract to Reforestation & Wildlife Services to perform the services and to supply and install the materials detailed in the proposal dated August 11, 2014, on the terms and at the price therein quoted.

Section 2: The Finance Director is authorized to pay the contract price of \$45,355.00 from 2014 Budgetary Line 403-901-5-2-979-108.

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 authorized work must be completed in the autumn of 2014 to comply with obligations of the permit authorizing the work and requirements of the grant received and expended to pay for extensive work to stabilize lower elevations of the riverbank. 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: September 23, 2014

Mike McCann
President of Council

Votes in Favor of Adoption: 6

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: September 23, 2014

Bob Armstrong
Mayor

RESOLUTION NO. 2473

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY
THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(City Council)
Revised Code, Secs. 5705.34, -.35.

The Council of the City of Defiance, Defiance County, Ohio met in

Regular session on the 23 day of September, 2014
(Regular or Special) Year

at the office of City Hall with the following members present:

Steve Waxler
Jake Oberlin
John Hancock
Chris Engel
Mike Ketcham
Peter Lundberg

Peter Lundberg moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2015; and
Year

WHEREAS, The Budget Commission of Defiance County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Defiance, Defiance County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

**CERTIFICATE OF COPY
ORIGINAL ON FILE**

The State of Ohio, Defiance County, ss.

I, Lisa Elders, Clerk of the Council of the City of Defiance within and for the County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original Resolution 2473

now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this 23 day of September, 2014
Year

Lisa Elders
Clerk of Council

Council of the City of
Defiance
Defiance County, Ohio.
2473

RESOLUTION
ACCEPTING THE AMOUNTS AND
RATES AS DETERMINED BY THE
BUDGET COMMISSION AND
AUTHORIZING THE NECESSARY
TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY AUDITOR.

Adopted 9-23, 2014
Lisa Elders
Clerk

Filed 9-26, 2014
County Auditor
By Marlene Goodwin
Deputy

RESOLUTION No. 2474

**A RESOLUTION ACCEPTING THE DEFIANCE COUNTY BUDGET
COMMISSION'S ALTERNATE PLAN OF APPORTIONMENT
OF THE UNDIVIDED LOCAL GOVERNMENT FUNDS.**

WHEREAS, the Defiance County Budget Commission has proposed an alternate plan of apportionment of the undivided local government funds, and

WHEREAS, an alternate plan requires the consent of each affected local governmental entity in order to be adopted and implemented,

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

Section 1: Any hearings before the Defiance County Budget Commission regarding apportionment of the undivided local government fund pursuant to Section 5747, Ohio Revised Code are hereby waived. This Council agrees to the Defiance County Budget Commission alternate plan of apportionment of the local government funds on the basis of need and the amount received in past years and agrees to accept the sum of One-hundred sixty-thousand eight-hundred two and 44/100 dollars (\$160,802.44) as its share of the undivided local government fund.

Section 2: It is found and determined that all legislative actions pertaining to the adoption of this Resolution 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 Resolution shall be in full force and effect from and after the earliest date permitted by law.

Mike McCann
President of Council

Passed: September 23, 2014

Attest: Lisa Elders, Clerk

Votes Approving Adoption: 6

Votes Opposing Adoption: 0

Approved: September 23, 2014

By: Bob Armstrong, Mayor