

Ordinance No. 7766

AN ORDINANCE AMENDING THE DISTRICT MAP TO REZONE LANDS LOCATED AT 889 RALSTON AVENUE FROM R-2 MEDIUM DENSITY RESIDENTIAL TO B-1, NEIGHBORHOOD BUSINESS DISTRICT

WHEREAS, The owner of lands located at 889 Ralston Avenue and identified by Permanent Parcel Number B013119001800 has filed a petition seeking to change to the Zoning District designation assigned to the premises from R-2, Medium Density Residential, to B-1, Neighborhood Business District; and,

WHEREAS, The Planning Commission caused proper notice of the requested change to be published and served as required by law, considered the merits of the request in open public meeting and recommended that the requested change be granted; and,

WHEREAS, On November 17, 2015, Council convened a properly advertised Public Hearing to consider the Recommendation of the Planning Commission and no objections to the proposed zoning change were presented; and,

WHEREAS, Council concurs with the Recommendation of the Planning Commission;

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

Section 1: All lands identified by Permanent Parcel Number B013119001800 are hereby Zoned B-1, Neighborhood Business District.

Section 2: The Clerk of the Planning Commission and the Zoning Commissioner are directed to change the District Map as required to implement the change in Zoning District Designation enacted 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.

Passed: November 24, 2015

Mike McCann
President of Council

Attest: Lisa Elders, Clerk

Approved: November 24, 2015

Bob Armstrong
Mayor

Ordinance No. 7767

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT FOR TECHNICAL ASSISTANCE WITH MAUMEE VALLEY PLANNING ORGANIZATION

WHEREAS, the City has traditionally engaged Maumee Valley Planning Organization as a consultant in connection with the administration of Federally-assisted activities; and,

WHEREAS, the City requires technical assistance and services to administer the industrial development revolving loan program in conformity with Federal regulations; and,

WHEREAS, amendment of the existing Agreement for Technical Assistance between the City and Maumee Valley Planning Organization is necessary to conform the services to be rendered by Maumee Valley Planning Organization to changes to the regulatory requirements that have been adopted since the agreement was last renewed and to adjust the compensation to be paid to Maumee Valley Planning Organization to reflect the changes in the services to be rendered;

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

Section 1: The City Administrator is authorized to execute the proposed "Agreement for Technical Assistance for the Revolving Loan Fund" pertaining to the services to be rendered by Maumee Valley Planning Organization on and after January 1, 2016.

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: November 24, 2015

Mike McCann
President of Council

Attest: Lisa Elders, Clerk

Approved: November 24, 2015

Bob Armstrong
Mayor

ORDINANCE No. 7768

**AN ORDINANCE AMENDING ORDINANCE NO. 7684 PASSED
DECEMBER 16, 2014 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.**

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, 2015 through December 31, 2015, Ordinance No. 7684 is hereby amended by appropriation changes to the following accounts:

GENERAL FUND - 101			
101 - COUNCIL			
Operating	\$	12,000.00	
TOTAL - COUNCIL			\$ 12,000.00
136 - MUNICIPAL COURT			
Salaries, Wages and Benefits	\$	8,140.00	
TOTAL - MUNICIPAL COURT			\$ 8,140.00
171 - MAYOR			
Salaries, Wages and Benefits	\$	6,500.00	
TOTAL - MAYOR			\$ 6,500.00
172 - CITY ADMINISTRATOR			
Salaries, Wages and Benefits	\$	7,664.00	
TOTAL - CITY ADMINISTRATOR			\$ 7,664.00
180 - DEVELOPMENT DEPARTMENT			
Operating	\$	38,500.00	
TOTAL - DEVELOPMENT DEPARTMENT			\$ 38,500.00
201 - FINANCE DEPARTMENT			
Salaries, Wages and Benefits	\$	2,433.00	
TOTAL - FINANCE DEPARTMENT			\$ 2,433.00
210 - LAW DEPARTMENT			
Salaries, Wages and Benefits	\$	18,727.00	
TOTAL - LAW DEPARTMENT			\$ 18,727.00
265 - BUILDINGS & LAND			
Salaries, Wages and Benefits	\$	13,828.00	
TOTAL - BUILDINGS & LAND			\$ 13,828.00
276 - CEMETERY			
Salaries, Wages and Benefits	\$	8,410.00	
TOTAL - CEMETERY			\$ 8,410.00
730 - INSURANCE POOL			
Operating	\$	6,126.00	
TOTAL - INSURANCE POOL			\$ 6,126.00
751 - PARKS & RECREATION			
Operating	\$	20,000.00	
TOTAL - PARKS & RECREATION			\$ 20,000.00
753 - INCOME TAX DEPARTMENT			
Operating	\$	50,000.00	
TOTAL - INCOME TAX DEPARTMENT			\$ 50,000.00
966 - POLICE & FIRE TRANSFER OUT			
Operating	\$	165,000.00	
TOTAL - POLICE & FIRE TRANSFER OUT			\$ 165,000.00
TOTAL - GENERAL FUND			\$ 357,328.00

201 - POLICE & FIRE FUND			
301 - POLICE DEPARTMENT			
Salaries, Wages and Benefits	\$	121,500.00	
Operating	\$	4,800.00	
TOTAL - POLICE DEPARTMENT			\$ 126,300.00
TOTAL - POLICE & FIRE FUND			\$ 126,300.00
202 - STATE HIGHWAY IMPROVEMENT FUND			
Operating	\$	5,000.00	
TOTAL - STATE HIGHWAY IMPROVEMENT FUND			\$ 5,000.00
204 - STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND			
Salaries, Wages and Benefits	\$	31,910.00	
TOTAL - STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND			\$ 31,910.00
260 - CABLE T.V. FUND			
Operating	\$	1,100.00	
TOTAL - CABLE T.V. FUND			\$ 1,100.00
278 - DOWNTOWN REVITALIZATION GRANT FUND			
Operating	\$	(50,000.00)	
TOTAL - DOWNTOWN REVITALIZATION GRANT FUND			\$ (50,000.00)
279 - MICRO REVOLVING LOAN FUND			
Operating	\$	556.00	
TOTAL - MICRO REVOLVING LOAN FUND			\$ 556.00
285 - RESERVOIR ENHANCEMENT FUND			
Operating	\$	2,000.00	
TOTAL - RESERVOIR ENHANCEMENT FUND			\$ 2,000.00
403 - CAPITAL IMPROVEMENT FUND			
Operating	\$	(2,100,000.00)	
TOTAL - CAPITAL IMPROVEMENT FUND			\$ (2,100,000.00)
589 - SEWER CAPITAL IMPROVEMENT FUND			
Operating	\$	(1,270,000.00)	
TOTAL - SEWER CAPITAL IMPROVEMENT FUND			\$ (1,270,000.00)
590 - WATER POLLUTION CONTROL FUND			
541 - STORMWATER			
Salaries, Wages and Benefits	\$	983.00	
TOTAL - STORMWATER			\$ 983.00
TOTAL - WATER POLLUTION CONTROL FUND			\$ 983.00
591 - WATER TREATMENT PLANT FUND			
537 - WATER TREATMENT PLANT			
Operating	\$	(2,400,000.00)	
TOTAL - 537 - WATER TREATMENT PLANT			\$ (2,400,000.00)
TOTAL - WATER TREATMENT PLANT FUND			\$ (2,400,000.00)
596 - REFUSE COLLECTION FUND			
Operating	\$	8,000.00	
TOTAL - REFUSE COLLECTION FUND			\$ 8,000.00
704 - HOTEL / MOTEL TAX FUND			
901 - VISITORS BUREAU			
Operating	\$	49,800.00	
TOTAL - 901 - VISITORS BUREAU			\$ 49,800.00
TOTAL - HOTEL / MOTEL TAX FUND			\$ 49,800.00
733 - FIRE PENSION FUND			
Salaries, Wages and Benefits	\$	16,500.00	
TOTAL - FIRE PENSION FUND			\$ 16,500.00
760 - UNCLAIMED MONIES FUND			
Operating	\$	42,000.00	
TOTAL - UNCLAIMED MONIES FUND			\$ 42,000.00
793 - FIRE DAMAGE REPAIR/REMOVAL FUND			
Operating	\$	12,000.00	
TOTAL - FIRE DAMAGE REPAIR/REMOVAL FUND			\$ 12,000.00

GRAND TOTAL - ALL FUNDS

\$ (5,166,523.00)

RECAPITULATION OF APPROPRIATIONS

101	General Fund	\$	357,328.00
201	Police & Fire Fund	\$	126,300.00
202	State Highway Improvement Fund	\$	5,000.00
204	SCMR Fund	\$	31,910.00
260	Cable TV Fund	\$	1,100.00
278	Downtown Revitalization Grant Fund	\$	(50,000.00)
279	Micro Revolving Loan Fund	\$	556.00
285	Reservoir Enhancement Fund	\$	2,000.00
403	Capital Improvements Fund	\$	(2,100,000.00)
589	Sewer Capital Improvement Fund	\$	(1,270,000.00)
590	Water Pollution Control Fund	\$	983.00
591	Water Treatment Plant Fund	\$	(2,400,000.00)
596	Refuse Collection Fund	\$	8,000.00
704	Hotel/Motel Tax Fund	\$	49,800.00
733	Fire Pension fund	\$	16,500.00
760	Unclaimed Monies Fund	\$	42,000.00
793	Fire Damage Repair/Removal Fund	\$	12,000.00

GRAND TOTAL - ALL FUNDS

\$ (5,166,523.00)

Section 2: Related to several of the appropriation changes above, the City Finance Director is authorized to process a 27th payroll in 2015 for all employees paid on a bi-weekly basis in recognition of the payroll calendar anomaly that occurs once every eleven years.

Section 3: 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 4: This Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Passed: November 24, 2015

Mike McCann
President of Council

Votes Approving Adoption: 7

Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: November 24, 2015

Bob Armstrong
Mayor

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

November 20, 2015

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:

\$65,702 to support the 27th pay period of 2015. A typical year includes 26 pay periods; every 11 years, there is a 27th; because of how the New Years holiday falls, it will occur in 2015 instead of 2016, and we did not contemplate it in the original 2015 budget.

\$165,000 in additional transfer to the Police & Fire Fund to accommodate the same 27th pay issue, as well as overruns in the Fire Division overtime budget. There is a corresponding appropriation in the Police and Fire Fund of \$126,300.

\$12,000 in the Council budget to account for unusually high codification costs in 2015.

\$38,500 in the Development budget to account for higher than anticipated drug screening costs (\$1,000) and Job Creation Incentive Program payments. (In recent years, not all eligible companies qualified; in 2015, they all did.)

\$6,126 for additional Property & Liability insurance costs associated with cyber-security coverage added in 2015.

\$20,000 in Parks & Recreation for unanticipated repair costs at Kingsbury Pool (\$13,000, largely due to flooding) and tree removal costs.

\$50,000 to account for an unusually high amount of income tax refunds in 2015.

Other Funds:

\$5,000 in the State Highway Improvement Fund for unanticipated costs associated with traffic signal maintenance.

\$31,910 in the SCMR (Streets) Fund to accommodate the 27th pay period.

\$1,100 in the Cable TV Fund to account for higher than anticipated revenues and the resulting payment to the DCCC.

A reduction of \$50,000 in the Downtown Revitalization Grant Fund to accommodate a corresponding reduction in anticipated revenues.

\$556 in the Micro Revolving Loan Fund to accommodate the complete transfer of balances in this fund to the regular Revolving Loan Fund, per mandate from the State of Ohio Development Services Agency.

\$2,000 in the Reservoir Enhancement Fund to allow for the installation of benches provided with donated funds.

\$49,800 in the Hotel/Motel Tax Fund to account for higher than anticipated revenues and the resulting payment to the DDVB.

\$16,500 in the Fire Pnsion Fund to account for the 27th pay period.

\$42,000 in the Unclaimed Monies Fund. This fund accounts for stale dated checks that have accumulated for many years. ORC allows for these monies to be transferred to the General Fund if uncashed after five years. We spent considerable time cleaning up this fund in 2015.

A reduction of \$2,100,000 in the Capital Improvements Fund largely recognizing the delay in the S. Clinton St. widening project to 2016.

A reduction of \$1,270,000 in the Sewer Capital Fund, again, recognizing the delays in starting various CSO Group projects budgeted in 2015, but now deferred to 2016.

\$983 in the Water Pollution Control Fund to account for the 27th pay period.

A reduction of \$2,400,000 in the Water Treatment Plant Fund recognizing the delay in starting the Greenler Water Tower replacement project.

\$8,000 in the Refuce Collection Fund to account for higher than anticipated revenues and the resulting payment to Werlor.

\$12,000 in the Fire Damage Repair & Removal Fund to permit the refund of insurance monies received for a dwelling fire on Hopkins Street.

Thanks,



John W. Lehner
Finance Director
City of Defiance

ORDINANCE No. 7769

**AN ORDINANCE AUTHORIZING THE TRANSFER
OF FUNDS FOR THE CITY OF DEFIANCE, OHIO FOR THE
YEAR ENDING DECEMBER 31, 2015.**

Whereas, the Council of the City of Defiance has previously provided for the transfer of funds in the annual appropriation ordinance; and

Whereas, the City Finance Director has determined that it is necessary to transfer a portion of the appropriated funds in order to meet current expenses and other expenditures of the City:

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

Section 1: The following amounts shall be transferred for the month of November, 2015:

<u>FUND FROM</u>	<u>AMOUNT</u>	<u>FUND TO</u>
General Fund #101	\$ 297,500	Police & Fire Fund #201
General Fund #101	\$ 22,500	Police Pension Fund #732
General Fund #101	\$ 20,000	Fire Pension Fund #733
WPC Fund #590	\$ 36,125	General Fund #101
WPC Fund #590	\$ 14,166	Utilities Billing Office Fund #585
WPC Fund #590	\$ 30,000	SCMR Fund #204
WTP Fund #591	\$ 35,600	General Fund #101
WTP Fund #591	\$ 14,166	Utilities Billing Office Fund #585
Refuse #596	\$ 12,733	Utilities Billing Office Fund #585

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: November 24, 2015

Mike McCann
President of Council

Votes Approving Adoption: 7

Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: November 24, 2015

Bob Armstrong
Mayor