

ORDINANCE NO. 7744

AN ORDINANCE AUTHORIZING THE IMMEDIATE PURCHASE OF AN AUTOMOBILE AND DECLARING AN EMERGENCY

WHEREAS, the City has an immediate need for a four wheel drive automobile; and,

WHEREAS, proposals to supply the required automobile from existing inventories were solicited from all new vehicle dealers located in the City of Defiance; and,

WHEREAS, Vision Chrysler, Jeep, Dodge Ram submitted the lowest responsive and responsible 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 automobile from Vision Chrysler, Jeep, Dodge Ram conforming to the product description and specifications provided by the proposal received August 17, 2015, and at the \$29,929.00 price therein quoted.

Section 2: The Finance Director is authorized to pay the approved purchase price from 2015 budget line 403-901-5-2-976-054.

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 there is an immediate need for the vehicle authorized for purchase. 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 8, 2015

Mike Ketcham
President of Council-Pro-Tem

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: September 8, 2015

Bob Armstrong
Mayor

ORDINANCE NO. 7745

AN ORDINANCE APPROPRIATING MONEY FOR USE BY THE COMMUNITY IMPROVEMENT CORPORATION TO FACILITATE DEVELOPMENT OF INDUSTRIAL PROPERTY AND DECLARING AN EMERGENCY

WHEREAS, The Defiance County Office of Economic Development has received and continues to receive numerous inquiries from potential employers seeking information about the availability of buildings in which to locate manufacturing operations; and,

WHEREAS, The City of Defiance has been unable to attract investment due to a chronic shortage of appropriately sized and zoned buildings with installed connections to necessary public and public utility services; and,

WHEREAS, A number of the inquiries ultimately resulted in the establishment of facilities and creation of jobs in Northwest Ohio, Northeast Indiana, and South Central Michigan, attesting to both the existence of regional demand for modern industrial space and the reluctance of manufacturers to acquire undeveloped land that is subject to the uncertainties of annexation, zoning and construction; and,

WHEREAS, The Mayor, Council and Board of County Commissioners have labored for years to encourage the formation of a consortium able and willing erect an industrial building as a speculative investment; and,

WHEREAS, The Board of County Commissioners has received a proposal to construct an industrial building on lands adjacent to the existing corporation line and an option to acquire and annex approximately 70 acres to facilitate immediate and anticipated future industrial development; and,

WHEREAS, Acceptance of the proposal and exercise of the option requires participation of the Community Improvement Corporation that is contingent on the sufficiency of the CIC's available funds; and,

WHEREAS, The Board of County Commissioners has adopted a Resolution authorizing contribution of \$205,000 to the capitalization of the Community Improvement Corporation contingent on the City of Defiance contributing a like amount;

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

Section 1: The City Finance Director is directed to disburse \$205,000 in lawfully available General Funds to the Community Improvement Corporation of Defiance County as an additional contribution to the capitalization of the CIC and a supplemental appropriation in the amount of \$205,000 is hereby made to 2015 budgetary line 101-180-5-2-840-010 for that purpose.

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 the welfare of the community for the reason that immediate action is required to enable completion of anticipated annexation and zoning proceedings prior to the expiration of the purchase option held by 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: September 8, 2015

Mike Ketcham
President of Council-Pro-Tem

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

Attest: Lisa Elders, Clerk

Approved: September 8, 2015

Bob Armstrong
Mayor

Ordinance No. 7746

AN ORDINANCE ACCEPTING THE ANNEXATION OF 3.612 ACRES OF LAND LOCATED IN SECTION 18, RICHLAND TOWNSHIP, DEFIANCE COUNTY, OHIO

Whereas, McCann Investment Properties, LLC, filed a Petition seeking to annex 3.612 acres of land located in Section 18, Richland Township, Defiance County, Ohio, to the City of Defiance; and,

Whereas, By Resolution passed May 14, 2015, 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 McCann Investment Properties, LLC to annex 3.612 acres of land located in Richland Township, Section 18, 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: September 8, 2014

Mike Ketcham
President of Council-Pro-Tem

Attest: Lisa Elders, Clerk

Approved: September 8, 2014

Bob Armstrong
Mayor

Ordinance No. 7747

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT FOR THE REPAIR OF DESIGNATED SIDEWALKS

WHEREAS, numerous sidewalks have been uplifted and damaged by the growth of adjacent municipal street trees; and,

WHEREAS, Council appropriated \$30,000 for expenditure in 2015 to effect repairs; and,

WHEREAS, The City Administrator has proposed 31 locations at which concrete is to be replaced in accordance with designs prepared by the City Engineer; and,

WHEREAS, The City Administrator has invited all contractors registered to work within the City to submit price proposals to undertake the desired work;

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

Section 1: The City Administrator is authorized to award one or more contracts to the registered contractor or contractors submitting the lowest responsive and responsible proposals to remove and replace segments of concrete sidewalk in substantial conformity with the plans and material specifications on file in the office of the City Engineer, provided, however, that the total aggregate cost of the awarded contract or contracts shall not exceed 110% of the Engineer's cost estimate.

Section 2: The Finance Director is authorized to pay costs incurred in accordance with the authorized contract or contracts from 2015 Budgetary Line 403-901-5-2-980-001.

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: September 8, 2015

Mike Ketcham
President of Council-Pro-Tem

Attest: Lisa Elders, Clerk

Approved: September 8, 2015

Bob Armstrong
Mayor

ORDINANCE NO. 7748

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 L. Tuttle and established the Andrew L. 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 museum advisory 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, Ordinance 7663 found Numismatic Auctions, LLC to be uniquely qualified to provide consultive services to the Museum and auction services to the municipal government and authorized the City Historian to enter into a continuing agreement with Numismatic Auctions, LLC relating to the consignment and sale of artifacts deaccessioned from the museum collection; and,

WHEREAS, the museum advisory board engaged Numismatic Auctions, LLC to assist the Board in making determinations about the relevance of various artifacts to museum purposes and deaccessioned certain Russian and European coins described to Council's satisfaction in open meeting on September 1, 2015;

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

Section 1: The European and Russian coins recently deaccessioned from the Andrew L. Tuttle Memorial Museum are declared to be municipal surplus. The City Historian is authorized to sell the same at public auction in conformity with the terms of the consignment agreement authorized by Ordinance 7663. 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 confirmation of the municipality's consignment of coins is required to assure proper advertisement of the deaccessioned artifacts in advance of the scheduled sale date. 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 8, 2015

Mike Ketcham
President of Council-Pro-Tem

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: September 8, 2015

Bob Armstrong
Mayor

Ordinance No. 7749

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH METALINK TECHNOLOGIES, INC. TO SUPPLY AND INSTALL ACCESS CONTROL AND SECURITY EQUIPMENT AT THE WATER TREATMENT WORKS

WHEREAS, City Hall and other municipal facilities have been equipped with electronic access control and monitoring equipment maintained by Metalink Technologies, Inc.; and,

WHEREAS, Security enhancements are necessary to protect the grounds and buildings of the Water Treatment Works; and,

WHEREAS, It is desirable that a common system of components and communication protocols be used at all municipal facilities;

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

Section 1: The City Administrator is authorized to contract with Metalink Technologies, Inc., to supply, install and maintain access control and security devices conforming to the system specifications detailed in the proposal dated August 26, 2015, and at the proposed price of \$16,765.96.

Section 2: The Finance Director is authorized to pay the contract price and such incidental costs as may be incurred in accordance with the terms of the authorized contract from 2015 Budgetary Line 591-537-5-2-980-008.

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 or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance shall be effective on the earliest date permitted by law.

Passed: September 8, 2015

Mike Ketcham
President of Council-Pro-Tem

Attest: Lisa Elders, Clerk

Approved: September 8, 2015

Bob Armstrong
Mayor

RESOLUTION No. 2480

**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-three-thousand six-hundred thirty-one and 78/100 dollars (\$163,631.78) 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.

Passed: September 8, 2015

Mike Ketcham
President of Council-Pro-Tem

Votes Approving Adoption: 7

Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: September 8, 2015

Bob Armstrong
Mayor