

NOTICE OF PROCEEDINGS
City Council of the City of Defiance, Ohio
Charles D. Beard Council Chambers
City Hall, 631 Perry Street, Defiance, OH 43512

REGULAR MEETING OF COUNCIL
TUESDAY OCTOBER 3, 2017
OPENING COMMENTS – 7:00 P.M.

SPECIAL GUEST: NONE

PUBLIC HEARING: DENNIS MILLER; CREDIT ADJUSTMENTS, INC. CDBG ECONOMIC DEVELOPMENT APPLICATION

SECOND READING: AN ORDINANCE AUTHORIZING RENEWAL OF A CONTRACT WITH DEFIANCE COUNTY PERTAINING TO REIMBURSEMENT OF MUNICIPAL EXPENSES INCURRED TO PROVIDE LEGAL SERVICES TO INDIGENT DEFENDANTS PROSECUTED IN MUNICIPAL COURT FOR OFFENSES PROSCRIBED BY MUNICIPAL ORDINANCE

SECOND READING: AN ORDINANCE ADOPTING THE DEFIANCE COUNTY MULTI-JURISDICTIONAL ALL HAZARD MITIGATION PLAN AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO SUPPORT THE EXPANSION OF CREDIT ADJUSTMENTS, INC., AND DECLARING AN EMERGENCY

CITIZEN CONCERNS: PLEASE STATE NAME & ADDRESS FOR THE RECORD

STUDY SESSION: NONE

LIAISON ASSIGNMENTS	TIME	DATE	AGENDA
♣ SEWER: KRUTSCH	7:00 P.M.	Tuesday - OCTOBER 2017	NO MEETING
♣ STREETS & SIDEWALK: WAXLER	7:00 P.M.	Tuesday - OCTOBER 2017	NO MEETING
♣ UTILITIES, GAS & LIGHTS: ORZOLEK	7:00 P.M.	Tuesday - OCTOBER 2017	NO MEETING
♣ POLICE & FIRE: LUNDBERG	7:00 P.M.	Tuesday - OCTOBER 2017	NO MEETING
♣ TRAFFIC COMMISSION: LEONARD, Mayor, Cereghin, Shafer, Wilkins, Warner, Orzolek, Hancock, Krutsch	6:00 P.M.	Tuesday - OCTOBER 2017	NO MEETING
♣ FINANCE: ENGEL	7:00 P.M.	Tuesday - OCTOBER 2017	NO MEETING
♣ BUILDING AND LANDS: HANCOCK	7:00 P.M.	Tuesday - OCTOBER 3 2017	SALE OF PUBLIC LANDS & REVISION OF ZONING CODES
♣ WATER: LUNDBERG	7:00 P.M.	Tuesday - OCTOBER 2017	NO MEETING
♣ ECONOMIC DEVELOPMENT: PIERCE	7:00 P.M.	Tuesday - OCTOBER 2017	NO MEETING
♣ COMMUNITY INTERACTION: PIERCE	7:00 P.M.	Tuesday - OCTOBER 2017	NO MEETING
♣ BOARD OF CONTROL MEETING: MAYOR , Leonard, Williams, Lehner	2:00 P.M. MONDAY 9:00 A.M. THURSDAY	MONDAY and THURSDAY	POSTED AT 631 PERRY STREET MEETINGS IN FRONT CONFERENCE ROOM

Ordinance No. _____

AN ORDINANCE AUTHORIZING RENEWAL OF A CONTRACT WITH DEFIANCE COUNTY PERTAINING TO REIMBURSEMENT OF MUNICIPAL EXPENSES INCURRED TO PROVIDE LEGAL SERVICES TO INDIGENT DEFENDANTS PROSECUTED IN MUNICIPAL COURT FOR OFFENSES PROSCRIBED BY MUNICIPAL ORDINANCE

WHEREAS, the State Public Defender allocates funds to Defiance County for payment of expenses incurred to provide legal services to indigent persons charged with offenses punishable by incarceration; and,

WHEREAS, a long standing agreement between the City and County has enabled the County to allocate a portion of the funds received from the Public Defender to payment of expenses incurred to provide constitutionally required legal services to persons prosecuted for offenses proscribed by municipal ordinance; and,

WHEREAS, the aforesaid agreement was most recently revised in 2013 to conform to requirements prescribed by the Public Defender and can be annually renewed by Ordinance of Council and Resolution of the Board of County Commissioners; and,

WHEREAS, on September 14, 2017, the Board of County Commissioners adopted a Resolution authorizing renewal of the agreement for calendar year 2018;

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

Section 1: The agreement between the City of Defiance and County of Defiance entitled, "*Agreement for Indigent Defense Services in Municipal Court (Assigned Counsel)*" is hereby extended without modification for the period beginning January 1, 2018, and ending December 31, 2018. The City Finance Director is authorized to receive and disburse funds in accordance with the agreement during calendar year 2018.

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: _____, 2017

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2017

Mayor

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE DEFIANCE COUNTY MULTI-JURISDICTIONAL ALL HAZARD MITIGATION PLAN AND DECLARING AN EMERGENCY

WHEREAS, The Defiance County Multi-Jurisdictional All Hazard Mitigation Plan identifies goals and actions to reduce long-term risks to people and property resulting from the existence natural hazards and occurrence of natural disasters; and,

WHEREAS, The City of Defiance adopted the 2012 Natural Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000 and has since undertaken flood loss mitigation projects identified by the Plan with the assistance of the Federal Emergency Management Agency and Ohio Emergency Management Agency; and,

WHEREAS, The 2012 Natural Hazard Mitigation Plan will expire on October 19, 2017, unless renewed; and,

WHEREAS, The Defiance County Emergency Management Agency and Ohio State University Extension Office have recommended specific changes to the Mitigation Plan to reflect the accomplishment of goals identified by the 2012 Plan and address more recently identified risks; and,

WHEREAS, The Ohio Emergency Management Agency has reviewed the recommendations and approved the proposed 2017 Defiance County Multi-Jurisdictional All Hazard Mitigation Plan for adoption by participating units of local government; and,

WHEREAS, By Resolution passed September 14, 2017, the Board of County Commissioners adopted the 2017 Defiance County Multi-Jurisdictional All Hazard Mitigation Plan as approved by the Ohio Emergency Management Agency;

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

Section 1: The 2017 Defiance County Multi-Jurisdictional All Hazard Mitigation Plan, as heretofore approved by the Ohio Emergency Management Agency and adopted by the Board of County Commissioners, is hereby adopted. The City Administrator is empowered to modify the adopted Plan to the extent necessary to secure final approval by the Federal Emergency Management Agency.

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 preserve the health, safety and welfare of the community for the reason that adoption of an approved 2017 Natural Hazard Mitigation Plan prior to expiration of the 2012 Natural Hazard Mitigation Plan is required to assure continuous eligibility for Federal Disaster Relief and preserve the municipality's eligibility to receive Federal assistance for which applications are now pending Federal review. 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: _____, 2017

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2017

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO SUPPORT THE EXPANSION OF CREDIT ADJUSTMENTS, INC., AND DECLARING AN EMERGENCY

WHEREAS, The Ohio Development Services Agency allocates Small Cities Community Development Block Grant funds appropriated by Congress to assist local governments with the cost of Community Development Activities undertaken to achieve Federal objectives established by the Housing & Community Development Act of 1974; and,

WHEREAS, The City desires to participate in the Fiscal Year 2017 CDBG Economic Development Loan and Public Infrastructure Grant Program to address a local need to create employment opportunities by providing economic development assistance to support the proposed expansion of Credit Adjustments, Inc.; and,

WHEREAS, Council acknowledges that acceptance of Federal assistance obligates the municipality to administer the granted funds in accordance with program guidelines and maintain public facilities and conduct programs in accordance with Federal requirements;

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 the Ohio Development Services Agency for such Title I Housing & Community Development Act assistance as may be available through the FY 2017 CDBG Economic Development Loan and Public Infrastructure Grant Program and is empowered to:

- a) Prepare and file all documents required to make application to the Ohio Development Services Agency for CDBG Economic Development Loan and Public Infrastructure Grant Program assistance;
- b) Provide such certifications and assurances as may be requested to assure that Title I funds are received and expended in full compliance with the Housing & Community Development Act of 1974 as amended and all Regulations promulgated pursuant thereto including, without limitation, 24 CFR 570.496(a);
- c) Provide such certifications and assurances as may be requested to assure that municipal facilities are constructed and maintained and municipal programs are operated in conformity with anti-discrimination Regulations applicable to the municipality by reason of its acceptance of Federal financial assistance; and,
- d) Carry out all programs and activities described by the authorized application in conformity with program guidelines and applicable regulations.

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 preserve the health, safety and welfare of the community for the reason that the application authorized by this Ordinance must be promptly filed with the Ohio Development Services Agency in order to be considered timely and eligible for funding. 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: _____, 2017 _____
President of Council

Votes in Favor of Adoption: _____
Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2017 _____
Mayor