

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 9, 2018
OPENING COMMENTS – 7:00 P.M.

SPECIAL GUEST: NONE
PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE CONSENTING TO AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DEFIANCE AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL NO. 918 AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE DESIGNATING CERTAIN ELIGIBLE INSTITUTIONS AS DEPOSITORIES OF PUBLIC MONEYS FOR THE CITY OF DEFIANCE FOR THE PERIOD FROM OCTOBER 1, 2018 TO, AND INCLUDING SEPTEMBER 30, 2020, AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING MONTHLY TRANSFERS OF FUNDS FOR THE CITY OF DEFIANCE, OHIO FOR THE YEAR ENDING DECEMBER 31, 2018

CITIZEN CONCERNS: NAME & ADDRESS FOR THE RECORD (5 MINS)
STUDY SESSION: NONE

COMMITTEE ASSIGNMENTS	TIME	DATE (2018)	AGENDA
▷SEWER: LUNDBERG , Krutsch, Plant	7:00 P.M.	Tuesday - OCTOBER	NO MEETING
▷STREETS & SIDEWALK: HANCOCK , Eureste, Krutsch	7:00 P.M.	Tuesday - OCTOBER	NO MEETING
▷UTILITIES, GAS & LIGHTS: PLANT , Waxler, Lundberg	7:00 P.M.	Tuesday – OCTOBER	NO MEETING
▷POLICE & FIRE: WAXLER , Hancock, Engel	7:00 P.M.	Tuesday - OCTOBER	NO MEETING
▷TRAFFIC COMMISSION: LEONARD , Mayor, Cereghin, Shafer, Wilkins, Sprow, Waxler, Eureste, Krutsch	5:00 P.M.	Tuesday - OCTOBER	NO MEETING
▷FINANCE: LUNDBERG , Hancock, Plant	7:00 P.M.	Tuesday – OCTOBER	NO MEETING
▷BUILDING AND LANDS: ENGEL , Eureste, Waxler	7:00 P.M.	Tuesday – OCTOBER	NO MEETING
▷WATER: KRUTSCH , Eureste, Engel	7:00 P.M.	Tuesday - OCTOBER	NO MEETING
▷ECONOMIC DEVELOPMENT: EURESTE , Krutsch, Waxler	7:00 P.M.	Tuesday – OCTOBER	NO MEETING
▷PUBLIC RELATIONS: PLANT , Lundberg, Hancock	7:00 P.M.	Tuesday – OCTOBER	NO MEETING
▷BOARD OF CONTROL MEETING: MAYOR , Leonard, O'Donnell, Lehner	1:30 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 CONSENTING TO AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DEFIANCE AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL NO. 918 AND DECLARING AN EMERGENCY

WHEREAS, Council approved a collective bargaining agreement between the City and the International Association of Firefighters Local No. 918 in Ordinance No. 7983 on January 23, 2018; and,

WHEREAS, the Federal Emergency Management Association ("FEMA") recently awarded a Staffing for Adequate Fire & Emergency Response ("SAFER") Grant to the City to hire six (6) additional firefighters for a three-year period that would increase staffing levels during the reconstruction of the Clinton Street Bridge; and,

WHEREAS, the increase in personnel necessitated changes to the collective bargaining agreement that includes an increase in shift staffing levels; and,

WHEREAS, Council finds the amendments necessary to preserve firefighter morale and to ensure adequate response times to emergencies on both sides of the Maumee River;

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

Section 1: The City Administrator is directed to execute the proposed *Letter of Addendum* attached hereto as "Exhibit A" and on file with the office of the Law Director.

Section 2: The proposed amendments to the collective bargaining agreement between the City of Defiance and the International Association of Firefighters Local No. 918 are hereby ratified and confirmed and made a part of the original agreement.

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 is declared to be an emergency measure necessary to preserve the health, safety, or welfare of the community for the reason that the Fire Division needs to begin preparations for increased staffing levels immediately prior to the Clinton Street bridge closure. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five (5) Members of Council and approval of the Mayor.

Passed: _____, 2018
_____ President of Council

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

Attest: _____, Clerk

Approved: _____, 2018
_____ Mayor

Letter of Addendum

Defiance Firefighters Local #918
International Association of Firefighters (AFL-CIO)
and
City of Defiance

For the duration of the current Fire Contract ending 12/31/2020, the following changes have been agreed:

Article 4, Probationary Period

Section 3:

Upon completion of Firefighter Level 1 and 2 and EMT-Basic certifications, **personnel hired under the Safer Grant Provision shall count as shift staffing.**

Article 7, Hours of Work

Section 1:

When a Platoon consists of **nine (9)** full time Bargaining Unit Employees with two (2) being officers, a Shift Platoon shall consist of no less than **seven (7)** full time Bargaining Unit employees with at least one (1) being a Duty Officer.

Article 17, Holiday/Vacation System

Section 3:

Holiday and Vacation Days may be taken at any time during the calendar year; however, Holiday and Vacation days will be denied when the granting of such days would leave the Division with less than **seven (7)** bargaining unit personnel on duty.

FOR THE CITY

FOR THE UNION

Jeff Leonard, City Administrator

Israel Frazer, President Local 918

Date

Date

Ordinance No. _____

AN ORDINANCE DESIGNATING CERTAIN ELIGIBLE INSTITUTIONS AS DEPOSITORIES OF PUBLIC MONEYS FOR THE CITY OF DEFIANCE FOR THE PERIOD FROM OCTOBER 1, 2018 TO, AND INCLUDING SEPTEMBER 30, 2020, AND DECLARING AN EMERGENCY.

WHEREAS, there has heretofore been given a notice requesting the submission of applications to serve as depositories of the public moneys of this City for the period from October 1, 2018 to, and including September 30, 2020, and

WHEREAS, those applications are presently on file in the Office of the Finance Director and such applications are hereby incorporated herein by reference, and it is therefore essential that action be taken on such applications as in this Ordinance provided;

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

Section 1. The applications to serve as depositories of the interim funds of this City which have been received from the financial institutions referred to below, which are hereby determined to be eligible institutions for the deposit of such moneys, are hereby found to be in conformity with law, including but not limited to Chapter 135 of the Ohio Revised Code, and the financial institutions referred to below are hereby designated public depositories of the interim moneys under the control of this City for the period from October 1, 2018 to, and including September 30, 2020. Said institutions are as follows:

First Federal Bank of Defiance

Section 3. The Finance Director be and he is hereby authorized to determine from time to time the amount of funds available for investment of deposits as interim moneys, to select the date or dates for investment or deposit of such interim moneys, and to select the classifications of obligations for the investment or deposit of such moneys as provided in Section 135.14 of the Ohio Revised Code; provided, however, that if such moneys are determined to be deposited as interim deposits (evidenced by a certificate of deposit) in accordance with Section 135.14(B)(3) of the Ohio Revised Code, the same shall be deposited with the financial institution specified above which offered to pay the highest permissible interest rate as nearly as practicable in proportion to the respective capital funds as defined in Section 135.01 (C) of the Ohio Revised Code, taken into account, however, the amount of funds from time to time to be deposited, the amount required to be deposited to obtain the highest permissible interest rate, and maturity dates and rights of redemption with respect to the respective deposits.

Section 4. The award of public moneys herein made is subject to the provisions of Chapter 135 of the Ohio Revised Code, including the limitation imposed by, and the variations permitted by, Sections 135.03 and 135.20 thereof; and, subject to the provisions of such chapter. Deposits of moneys shall be made pursuant to this Ordinance from time to time in accordance with the financial requirements of this City.

Section 5. The Finance Director is hereby directed to keep all such applications received from financial institutions and referred to above on file in his office.

Section 6. The Finance Director is hereby authorized and directed to forward certified copies of this Ordinance to the financial institutions herein designated as public depositories of the City, and the Finance Director is hereby authorized and directed to execute on behalf of this City such memorandum agreements relating to the designation of such institutions as public depositories and the securing of deposits therein as are required, authorized or permitted by law.

Section 7. 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 8. This Ordinance is hereby declared to be an emergency measure necessary to preserve the public health, welfare and safety of the residents of the City of Defiance, and further to maintain the legal investment of funds being necessary for the proper operation of the City. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five members of Council and approval of the Mayor.

Passed: _____, 2018 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2018 _____
Mayor

ORDINANCE No. _____

**AN ORDINANCE AUTHORIZING MONTHLY TRANSFERS
OF FUNDS FOR THE CITY OF DEFIANCE, OHIO FOR THE
YEAR ENDING DECEMBER 31, 2018.**

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 each month 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: That the following amounts shall be transferred for the month of October, 2018.

<u>FUND FROM</u>	<u>AMOUNT</u>	<u>FUND TO</u>
General Fund #101	\$ 337,500	Police & Fire Fund #201
General Fund #101	\$ 22,500	Police Pension Fund #732
General Fund #101	\$ 20,833	Fire Pension Fund #733
General Fund #101	\$ 385,000	Capital Improvements Fund #403
WPC Fund #590	\$ 35,058	General Fund #101
WPC Fund #590	\$ 25,000	Utilities Billing Office Fund #585
WTP Fund #591	\$ 31,733	General Fund #101
WTP Fund #591	\$ 25,000	Utilities Billing Office Fund #585
Refuse #596	\$ 4,625	Utilities Billing Office Fund #585

Section 2: That the amounts necessary for transfer in the months of October, November and December, 2018, upon the further recommendation by the City Finance Director, will be considered during those months.

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: _____, 2018

President of Council

Votes Approving Adoption: _____

Votes Opposing Adoption: _____

Attest: _____, Clerk

Approved: _____, 2018

Mayor