

Ordinance No. 7963

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONTRACT TO BERGREN ASSOCIATES, INC. TO SUPPLY AND INSTALL TURBIDITY MONITORING EQUIPMENT AT THE WATER TREATMENT PLANT

WHEREAS, The Water Treatment Plant is required to continuously monitor the turbidity of filter effluents; and,

WHEREAS, The turbidity meters installed at the Water Treatment Plant are approximately 20 years old and technologically obsolete; and,

WHEREAS, Provision was made for replacement of the metering equipment in the 2017 annual budget; and,

WHEREAS, The Superintendent and City Administrator have selected AMI Turbiwell Analyzers manufactured by Swan Analytical Instruments as the most appropriate metering devices available for installation at the Water Treatment Plant; and,

WHEREAS, Bergren Associates, Inc., has submitted an acceptable proposal to install AMI Turbiwell Analyzers and provide necessary operator training and start-up services;

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 Bergren Associates, Inc., to supply and install turbidity monitoring equipment conforming to the specifications recited in the Swan Analytical Instruments quotation numbered OF-US17-1188 and provide all start-up and training services detailed in the proposal dated October 23, 2017, at the proposed price of \$36,715.00.

Section 2: The City Finance Director is directed to pay the contract price and such additional amounts as may become due in accordance with the terms of the authorized contract from line 591-537-5-2-980-880 of the 2017 annual budget.

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 28, 2017

Peter Lundberg
President Pro-Tem of Council

Attest: Lisa Elders, Clerk

Approved: November 28, 2017

Michael McCann
Mayor

ORDINANCE NO. 7964

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COMMUNITY IMPROVEMENT CORPORATION OF DEFIANCE COUNTY, INC. AS THE AGENCY OF THE CITY OF DEFIANCE, OHIO FOR INDUSTRIAL, COMMERCIAL, DISTRIBUTION AND RESEARCH DEVELOPMENT AND AUTHORIZING AND CONFIRMING A PLAN FOR SUCH DEVELOPMENT, AND DECLARING AN EMERGENCY.

WHEREAS, Section 13 of Article VIII, Ohio Constitution provides that, to create and preserve jobs and employment opportunities and to improve the economic welfare of the people of the State of Ohio, it is in the public interest and a proper public purposes for a city, its agencies or instrumentalities, or corporations not for profit designated by such city as its agency or instrumentality, to perform the acts and exercise the powers therein provided; and

WHEREAS, under Chapter 1724, Ohio Revised Code a corporation not for profit, known as a community improvement corporation, may be organized for the sole purposes of advancing, encouraging, and promoting the industrial, economic, commercial, and civic development of a community or area and may be designated by a city as its agency for the purpose of industrial, commercial, distribution and research development and such city may then enter into an agreement with and confirm a plan prepared by said designated community improvement corporation in accordance with Section 1724.10, Ohio Revised Code; and

WHEREAS, prior to issuing economic development bonds pursuant to Chapter 165, Ohio Revised Code, to assist in financing an industrial, commercial, research or distribution facility, the City is required to designate a community improvement corporation and enter into an agreement with and confirm a plan prepared by the community improvement corporation, and to receive from the community improvement corporation its certification of the facilities proposed to be financed; and

WHEREAS, This Council wishes to take those steps necessary to empower the City to issue economic development revenue bonds pursuant to Chapter 165; Ohio Revised Code;

NOW, THEREFORE, BE IT ENACTED by the Council of the Municipality of Defiance, that:

Section 1. Designation of CIC. This Council hereby finds and determines that it is the policy of this City to promote the health, safety, morals and general welfare of its inhabitants through the designation of the Community Improvement Corporation of Defiance County, Inc., a community improvement corporation organized as a corporation not for profit in the manner provided in Ohio Revised Code Chapter 1724, as this City's agency and instrumentality for the industrial, commercial, distribution and research development within the City.

Section 2. Agreement and Plan. The Mayor and Director of Finance are hereby authorized to enter into an Agreement and Plan of Industrial, Commercial, Distribution and Research Development (the "Agreement and Plan") with the CIC in substantially the form and containing the provisions of the form of such document now on file with the Clerk of Council. The Agreement and Plan are approved with any changes therein as are not inconsistent with this Ordinance, as are not substantially adverse to the City, as are permitted by law, and as are approved by the Mayor and Director of Finance, as the officers executing the Agreement and Plan. The approval of those changes by such officers shall be evidenced conclusively by the execution of the Agreement and Plan as so changed.

Section 3. Confirmation of Plan. This Council hereby confirms the terms and provisions of the Agreement and Plan in all respects insofar as it embodies and

constitutes the Plan of Industrial, Commercial, Distribution and Research Development for this City under Revised Code Section 1724.10.

Section 4. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the enactment of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 5. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 6. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective to empower the City to issue economic development revenue bonds pursuant to Chapter 165, Ohio Revised Code, to facilitate pending economic development projects, thereby creating or preserving jobs and employment opportunities and improving the economic welfare of the people of the City; wherefore, this Ordinance shall be in full force and effect immediately upon its enactment and approval by the Mayor.

Enacted: _____
11-28-17

Peter Lundberg
President Pro-Tem of Council

Approved: November 28, 2017

Attest: Lisa Elders
Clerk of Council

Michael McCann
Mayor

ORDINANCE No. 7965

**AN ORDINANCE AMENDING ORDINANCE NO. 7877 PASSED
DECEMBER 13, 2016 TO MAKE APPROPRIATIONS FOR
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE
CITY OF DEFIANCE, OHIO, DURING THE PERIOD OF
JANUARY 1, 2017 THROUGH DECEMBER 31, 2017.**

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, 2017 through December 31, 2017, Ordinance No. 7877 is hereby amended by appropriation changes to the following accounts:

101 - GENERAL FUND			
101 - COUNCIL			
Operating	\$	2,600.00	
TOTAL - COUNCIL			\$ 2,600.00
136 - MUNICIPAL COURT			
Salaries, Wages and Benefits	\$	10,800.00	
TOTAL - MUNICIPAL COURT			\$ 10,800.00
145 - COUNTY LAW LIBRARY			
Operating	\$	5,045.00	
TOTAL - COUNTY LAW LIBRARY			\$ 5,045.00
171 - MAYOR			
Salaries, Wages and Benefits	\$	5,160.00	
TOTAL - MAYOR			\$ 5,160.00
180 - DEVELOPMENT DEPARTMENT			
Operating	\$	20,000.00	
TOTAL - DEVELOPMENT DEPARTMENT			\$ 20,000.00
201 - FINANCE DEPARTMENT			
Salaries, Wages and Benefits	\$	7,900.00	
TOTAL - FINANCE DEPARTMENT			\$ 7,900.00
205 - COUNTY & STATE CHARGES			
Operating	\$	5,000.00	
TOTAL - COUNTY & STATE CHARGES			\$ 5,000.00
210 - LAW DEPARTMENT			
Salaries, Wages and Benefits	\$	42,106.00	
Operating	\$	4,000.00	
TOTAL - LAW DEPARTMENT			\$ 46,106.00
220 - CIVIL SERVICE			
Salaries, Wages and Benefits	\$	1,100.00	
TOTAL - CIVIL SERVICE			\$ 1,100.00
751 - PARKS & RECREATION			
Operating	\$	20,000.00	
TOTAL - PARKS & RECREATION			\$ 20,000.00
TOTAL - GENERAL FUND			\$ 123,711.00
201 - POLICE & FIRE FUND			
336 - FIRE DEPARTMENT			
Operating	\$	18,713.00	
TOTAL - FIRE DEPARTMENT			\$ 18,713.00
203 - PERMISSIVE TAX FUND			
Operating	\$	850.00	
TOTAL - PERMISSIVE TAX FUND			\$ 850.00
247 - PROBATION SERVICES FUND			
Salaries, Wages and Benefits	\$	13,505.00	
TOTAL - PROBATION SERVICES FUND			\$ 13,505.00

249 - PROBATION GRANT FUND		
Salaries, Wages and Benefits	\$ 6,435.00	
Operating	\$ 1,410.00	
TOTAL - PROBATION GRANT FUND		\$ 7,845.00
405 - SPLASH PAD TRUST FUND		
Operating	\$ 237,000.00	
TOTAL - SPLASH PAD TRUST FUND		\$ 237,000.00
585 - UTILITIES BILLING OFFICE FUND		
Salaries, Wages and Benefits	\$ 6,665.00	
TOTAL - UTILITIES BILLING OFFICE FUND		\$ 6,665.00
590 - WATER POLLUTION CONTROL FUND		
540 - SEWER PLANT		
Operating	\$ 1,066,000.00	
TOTAL - SEWER PLANT		\$ 1,066,000.00
591 - WATER TREATMENT PLANT FUND		
538 - WATER DISTRIBUTION		
Operating	\$ 128,000.00	
TOTAL - 538 - WATER DISTRIBUTION		\$ 128,000.00
704 - HOTEL / MOTEL TAX FUND		
873 - GENERAL OPERATING		
Salaries, Wages and Benefits	\$ 200.00	
Operating	\$ 6,000.00	
TOTAL - 873 - GENERAL OPERATING		\$ 6,200.00
901 - VISITORS BUREAU		
Operating	\$ 22,664.00	
TOTAL - 901 - VISITORS BUREAU		\$ 22,664.00
TOTAL - HOTEL / MOTEL TAX FUND		\$ 28,864.00
792 - FIRE & RESCUE TRUST FUND		
Operating	\$ 6,400.00	
TOTAL - FIRE & RESCUE TRUST FUND		\$ 6,400.00
852 - SPECIAL ASSESSMENT DEBT FUND		
Operating	\$ 32,000.00	
TOTAL - SPECIAL ASSESSMENT DEBT FUND		\$ 32,000.00
GRAND TOTAL - ALL FUNDS		\$ 1,669,553.00

RECAPITULATION OF APPROPRIATIONS

101 - GENERAL FUND	\$ 123,711.00
201 - POLICE & FIRE FUND	\$ 18,713.00
203 - PERMISSIVE TAX FUND	\$ 850.00
247 - PROBATION SERVICES FUND	\$ 13,505.00
249 - PROBATION GRANT FUND	\$ 7,845.00
405 - SPLASH PAD TRUST FUND	\$ 237,000.00
585 - UTILITIES BILLING OFFICE FUND	\$ 6,665.00
590 - WATER POLLUTION CONTROL FUND	\$ 1,066,000.00
591 - WATER TREATMENT PLANT FUND	\$ 128,000.00
704 - HOTEL / MOTEL TAX FUND	\$ 28,864.00
792 - FIRE & RESCUE TRUST FUND	\$ 6,400.00
852 - SPECIAL ASSESSMENT DEBT FUND	\$ 32,000.00
GRAND TOTAL - ALL FUNDS	\$ 1,669,553.00

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 28, 2017

Peter Lundberg
President Pro-Tem of Council

Votes Approving Adoption: 7

Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: November 28, 2017

Michael McCann
Mayor

CITY OF DEFIANCE - FY 2017
SUPPLEMENTAL APPROPRIATIONS ORDINANCE
November 24, 2017

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.

Fund No.	Dept No.	Account No.	Account Name	Amount	Division	Notes
101	101	811000	Codification	2,600.00	Council	Excess cost of code updates.
101	136	702005	NB Non-Supervisory	10,800.00	Muni Court	Retirement payout (B. Gray).
101	145	732000	Subscriptions & Books	5,045.00	Law Library	
101	171	702005	NB Non-Supervisory	5,160.00	Mayor	Retirement payout (A. Scribner).
101	180	835009	Professional Services	20,000.00	Development	Survey work on Commerce Drive.
101	201	709500	Vacation Conversion	2,250.00	Finance	Unanticipated.
101	201	718001	Health Care	5,650.00	Finance	Single to 2-party x 2 (J. Lambert, C. Homan).
101	205	803000	County Auditor Fees	5,000.00	County & State Charges	FEMA property taxes.
101	210	702004	NB Supervisory	29,285.00	Law	Assistant Law Director transition.
101	210	709500	Vacation Conversion	12,821.00	Law	Severance payout (C. Slade).
101	210	835003	Special Counsel	4,000.00	Law	Municipal Tax Litigation
101	220	702900	Salary All Other	1,100.00	Civil Service	Salary adjustment for new clerk (C. Homan).
101	751	941001	Maintenance Agreements	20,000.00	Parks & Rec	Tree removal contracts.
TOTAL - General Fund				123,711.00		
201	336	730005	Equipment	6,323.00	Fire	BWC grant for turnout gear.
201	336	730008	Rescue Supplies	4,050.00	Fire	EMS grant for rescue supplies.
201	336	735003	Vehicle Maintenance	5,970.00	Fire	Insurance reimbursement for accident.
201	336	735011	Personal Protective Equipment	2,370.00	Fire	BWC grant for protective hoods.
TOTAL - Police & Fire Fund				18,713.00		
203	901	973004	Professional Services	850.00		Share of note issuance costs.
TOTAL - Permissive Tax Fund				850.00		
247	137	702900	Salary All Other	13,505.00		Salary and roll-ups for new probation officer.
TOTAL - Probation Services Fund				13,505.00		
249	198	718001	Health Care	6,435.00		2nd Half grant not previously appropriated.
249	198	937600	Program Expense	1,410.00		2nd Half grant not previously appropriated.

TOTAL - Probation Grant Fund		<u>7,845.00</u>		
405 901 980880 Capital Improvements		<u>237,000.00</u>		Splash pad accelerated Fall work.
TOTAL - Splash Pad Trust Fund		<u>237,000.00</u>		
585 539 710000 Retirement/Conversion		<u>6,665.00</u>		Retirement payout (D. Manon).
TOTAL - Utilities Billing Office Fund		<u>6,665.00</u>		
590 540 980880 Capital Improvements		<u>1,066,000.00</u>		Previously approved digester project.
TOTAL - Water Pollution Control Fund		<u>1,066,000.00</u>		
591 538 727010 Bldg & Grounds		100,000.00	Distribution	Lighting, electrical, fire suppression @ NEW.
591 538 835009 Professional Services		<u>28,000.00</u>	Distribution	E. High St. design work.
TOTAL - Water Fund		<u>128,000.00</u>		
704 873 702900 Salary All Other		200.00	General Operating	Museum short in salaries
704 873 979020 Special Projects		6,000.00	General Operating	Additional League Subsidy
704 901 979017 Program Expense		<u>22,664.00</u>	Visitors Bureau	Higher tax revenues/transfer than anticipated.
TOTAL - Hotel/Motel Tax Fund		<u>28,864.00</u>		
792 336 730009 Rescue Equipment		<u>6,400.00</u>		Donated funds for rescue boat.
TOTAL - Fire & Rescue Trust Fund		<u>6,400.00</u>		
852 451 990001 Principal Retirement		<u>32,000.00</u>		Accelerated pay off of city-owned debt.
TOTAL - Special Assessment Debt Fund		<u>32,000.00</u>		
GRAND TOTAL - ALL FUNDS		1,669,553.00		

Related Revenue Adjustments

249 400 600010 CCA Program Grant		<u>6,547.00</u>		Probation Grant
405 720 698001 Note Proceeds		<u>141,000.00</u>		Note for Splash Pad
		<u>147,547.00</u>		

Thanks,



John W. Lehner
Finance Director
City of Defiance