

Ordinance No. 8081

AN ORDINANCE ESTABLISHING A JOB CREATION INCENTIVE PROGRAM FOR JOHNS MANVILLE

WHEREAS, Johns Manville plans to expand its facility along Commerce Drive with a fifty million dollar (\$50,000,000.00) investment; and,

WHEREAS, the company will increase employment at the facility by twenty-four (24) new positions; and,

WHEREAS, the Job Creation Incentive Program Committee recommends that the requested incentive be created in the amount of \$13,000.00 per year for a period of ten (10) years upon creation and maintenance of not less than twenty-four (24) eligible jobs generating an aggregate annual payroll of not less than \$1,565,640.00; and,

WHEREAS, Council finds that the recommendation complies with Chapter 191 of the Codified Ordinances of Defiance, Ohio;

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

Section 1: \$13,000.00 shall be annually appropriated to the use of the Defiance County Community Improvement Corporation for a period of ten (10) years to fund a Job Creation Incentive Award hereby granted to Johns Manville. The first annual payment shall be conditioned on the creation of not less than twenty-four (24) eligible jobs generating an aggregate new annual payroll of not less than \$1,565,640.00 within two (2) years of this award. Payment of subsequent installments shall be conditioned on maintenance of the required number of positions and aggregate payroll during each year in which the incentive is paid.

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 shall be effective on the earliest date permitted by law.

Passed: December 4, 2018 David McMaster
President of Council

Attest: Lisa Elders, Clerk

Approved: December 4, 2018 Michael McCann
Mayor

ORDINANCE NO. 8082

AN ORDINANCE AWARDING A CONTRACT TO STANTEC CONSULTING SERVICES, INC. FOR THE DEVELOPMENT OF A WATER DISTRIBUTION STUDY AND DECLARING AN EMERGENCY

WHEREAS, the City anticipates undertaking significant capital improvements to its water distribution system due to mandates from the Ohio Environmental Protection Agency (“OEPA”) and due to the desire to preserve water quality for City residents; and,

WHEREAS, a water distribution study will help the City determine which capital improvements to pursue and which improvements will have the greatest effect on water quality; and,

WHEREAS, R.C. §§153.65-153.73 requires municipalities to solicit a statement of qualifications from professional services firms before awarding a professional design or a design-build contract; and,

WHEREAS, the City entered into scope and fee negotiations with Stantec Consulting Services, Inc. for this project after scoring the firm against other statements of qualifications;

WHEREAS, the City desires to enter into a contract with Stantec Consulting Services, Inc. in the amount of \$87,500.00; and,

WHEREAS, Council finds that improved drinking water facilities will promote health and wellness of the community;

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

Section 1: The City Administrator is directed to enter into a contract with Stantec Consulting Services, Inc. to provide professional services for the a water distribution study project as specified by the City and on file with the City Engineer at the prices quoted above.

Section 2: The Finance Director is authorized to pay the contract amount of \$87,500.00 from Line 591-538-5-2-980.880 from appropriated funds allocated by expenditure in the 2018 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 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 immediate undertaking of the study is necessary for upgrades to the aging water system. 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: December 4, 2018 David McMaster
President of Council

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

Attest: Lisa Elders, Clerk

Approved: December 4, 2018 Michael McCann
Mayor

ORDINANCE NO. 8083

AN ORDINANCE AWARDING A CONTRACT TO CONSTRUCT SEWER IMPROVEMENTS ALONG CARPENTER ROAD AND KETTENRING DRIVE AND DECLARING AN EMERGENCY

WHEREAS, the City operates under a Long Term Control Plan with the Ohio Environmental Protection Agency ("OEPA") to limit the sewer overflows into the Maumee River watershed; and,

WHEREAS, reducing the inflows of storm water into the sanitary sewers will assist in the implementation of the existing Long Term Control Plan and also reduce the risk of sewer backflows that damage private property; and,

WHEREAS, the City solicited proposals to construct sewer improvements along Carpenter Road and Kettenring Drive in order to remove inflow from the combined sewer system and All Purpose Contracting submitted the lowest and best bid at \$128,859.00; and,

WHEREAS, Council finds that this project promotes the health and wellness and infrastructure pillars of the Defiance Community Strategic Plan;

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

Section 1: The City Administrator is directed to enter into a contract with All Purpose Contracting to construct the sewer improvements along Carpenter Road and Kettenring Drive according to the specifications of the City and on file with the City Engineer at the quoted price of \$128,859.00.

Section 2: The Finance Director is authorized to pay the contract price from Section 1 and quoted in the lowest and best bid received on November 20, 2018 from appropriated funds allocated by expenditure from Line 589-010-5-2-977.100 of the 2018 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 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 immediate commencement of the project is necessary to comply with the court-ordered Long Term Control Plan. 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: December 4, 2018 David McMaster
President of Council

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

Attest: Lisa Elders, Clerk

Approved: December 4, 2018 Michael McCann
Mayor

ORDINANCE No. 8084

**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 November, 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
WPC Fund #590	\$ 35,058	General Fund #101
WPC Fund #590	\$ 25,000	Utilities Billing Office Fund #585
WPC Fund #590	\$ 34,388	SCMR Fund #204
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: December 4, 2018

David McMaster
President of Council

Votes Approving Adoption: 7

Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: December 4, 2018

Michael McCann
Mayor

ORDINANCE No. 8085

**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 December, 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	\$ 20,837	Fire Pension Fund #733
WPC Fund #590	\$ 35,062	General Fund #101
WPC Fund #590	\$ 25,000	Utilities Billing Office Fund #585
WTP Fund #591	\$ 31,737	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: December 4, 2018

David McMaster
President of Council

Votes Approving Adoption: 7

Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: December 4, 2018

Michael McCann
Mayor

RESOLUTION No. 2504

A RESOLUTION EXPRESSING SUPPORT FOR THE ENTERPRISE ZONE AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF DEFIANCE COUNTY, OHIO AND JOHNS MANVILLE

WHEREAS, Johns Manville intends to expand its operations at its Carpenter Road plant with a fifty million dollar (\$50,000,000.00) investment and increase of twenty-four (24) employees; and

WHEREAS, an Ohio Enterprise Zone tax exemption agreement between the Board of Commissioners of Defiance County, Ohio and Johns Manville will support this business endeavor by providing a ninety percent (90%) real property tax exemption to Johns Manville for twelve (12) years; and

WHEREAS, Council finds that the agreement aligns with the economic development pillar of the Defiance Community Strategic Plan;

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

Section 1: Council hereby expresses support for the Defiance County - Johns Manville enterprise zone agreement which will accompany the fifty million dollar (\$50,000,000.00) total investment into the City.

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 or in Executive Session duly convened in accordance with law.

Section 3: This Resolution shall be effective on the earliest date permitted by law.

Passed: December 4, 2018 David McMaster
President of Council

Attest: Lisa Elders, Clerk

Approved: December 4, 2018 Michael McCann
Mayor