

# Ordinance No. 8098

## AN ORDINANCE VACATING AN ALLEY IN THE FIRST ADDITION TO THE CITY OF DEFIANCE, OHIO

**WHEREAS**, the City received a petition to vacate the alley between Front Street and Third Street between Lots One (1) through Eighteen (18), inclusive, in the First Addition to the City of Defiance, Ohio; and,

**WHEREAS**, the Planning Commission heard the petition at the January 21, 2019 public hearing; and,

**WHEREAS**, the subject alley is unimproved and unpaved with no public or private utilities located within the petitioned area; and,

**WHEREAS**, Council finds good cause for vacating the alley and that the requested vacation will not be detrimental to the public interest pursuant to Section 905.19(a) of the Codified Ordinances of Defiance, Ohio;

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

**Section 1:** The 11' North to South alley lying between Lots One (1) through Eighteen (18), inclusive, in the First Addition to the City of Defiance, Ohio, as more fully described and depicted by the plat, survey, and legal description now on file in the office of the Law Director, is hereby vacated.

**Section 2:** The Law Director is directed to record a copy of this Ordinance to document the vacation of all public rights of way lying between these parcels.

**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: February 12 \_\_\_\_\_, 2019

David McMaster \_\_\_\_\_  
President of Council

Votes in Favor of Adoption: 7 \_\_\_\_\_

Votes Opposed to Adoption: 0 \_\_\_\_\_

Attest: Lisa Elders \_\_\_\_\_, Clerk

Approved: February 12 \_\_\_\_\_, 2019

Michael McCann \_\_\_\_\_  
Mayor

ORDINANCE No. 8099

**AN ORDINANCE AMENDING ORDINANCE NO. 8086 PASSED  
DECEMBER 11, 2018 TO MAKE APPROPRIATIONS FOR  
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE  
CITY OF DEFIANCE, OHIO, DURING THE PERIOD OF  
JANUARY 1, 2019 THROUGH DECEMBER 31, 2019.**

**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, 2019 through December 31, 2019, Ordinance No. 8086 is hereby amended by appropriation changes to the following accounts:

<b>101-General Fund</b>		
<b>180-Development Department</b>		
Operating	\$ (21,065.00)	
<b>TOTAL - 180-Development Department</b>		<b>\$ (21,065.00)</b>
<b>730-Insurance Pool</b>		
Operating	\$ (1,190.00)	
<b>TOTAL - 730-Insurance Pool</b>		<b>\$ (1,190.00)</b>
<b>TOTAL - 101-General Fund</b>		<b>\$ (22,255.00)</b>
<b>248-Probation Incentive Grant Fund</b>		
Salaries, Wages & Benefits	\$ (5,775.16)	
<b>TOTAL - 248-Probation Incentive Grant Fund</b>		<b>\$ (5,775.16)</b>
<b>403-Capital Improvement Fund</b>		
Operating	\$ 909,522.00	
<b>TOTAL - 403-Capital Improvement Fund</b>		<b>\$ 909,522.00</b>
<b>589-Sewer Capital Improvement Fund</b>		
Operating	\$ 2,052,555.00	
<b>TOTAL - 589-Sewer Capital Improvement Fund</b>		<b>\$ 2,052,555.00</b>
<b>768-Commerce Drive Fund</b>		
Operating	\$ (21,065.00)	
<b>TOTAL - 768-Commerce Drive Fund</b>		<b>\$ (21,065.00)</b>
<b>GRAND TOTAL - ALL FUNDS</b>		<b>\$ 2,912,981.84</b>

**RECAPITULATION OF APPROPRIATIONS**

101-General Fund	\$ (22,255.00)
248-Probation Incentive Grant Fund	\$ (5,775.16)
403-Capital Improvement Fund	\$ 909,522.00
589-Sewer Capital Improvement Fund	\$ 2,052,555.00
768-Commerce Drive Fund	\$ (21,065.00)
<b>GRAND TOTAL - ALL FUNDS</b>	<b>\$ 2,912,981.84</b>

**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: February 12, 2019

David McMaster  
President of Council

Votes Approving Adoption: 7

Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: February 12, 2019

Michael McCann  
Mayor

**CITY OF DEFIANCE - FY 2019  
SUPPLEMENTAL APPROPRIATIONS ORDINANCE**

February 8, 2019

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. I will discuss some of these in more detail Tuesday night.

Fund No.	Dept No.	Account No.	Account Name	Amount	Division	Notes
101	180	999009	Transfer/Debt Service	(21,065.00)	Development	Commerce Drive Debt Service Over-Budgeted
101	730	725000	BORMA Loss Funding	(589.00)	Insurance	Corrected Premium Amount
101	730	725001	BORMA Fixed Costs	(601.00)	Insurance	Corrected Premium Amount
<b>TOTAL - General Fund</b>				<b>(22,255.00)</b>		
248	198	702005	NB Non-Supervisory	(5,775.16)		Corrected Grant Balance
<b>TOTAL - Probation Incentive Grant Fund</b>				<b>(5,775.16)</b>		
403	901	975044	Fire Vehicle	200,942.00		2018 authorization carried into 2019 -- Squad.
403	901	978102	Street Projects	318,500.00		2018 authorization carried into 2019 -- Geneva Blvd.
403	901	978104	Palmer/Jefferson Intersection	116,380.00		Balance of roundabout project carried into 2019.
403	901	980881	Bridge Projects	(95,000.00)		Reduction of Clinton St. Bridge contingency.
403	901	980890	Downtown Alley Improvements	(75,000.00)		Project likely delayed to 2020.
403	901	990893	Reservoir Trails	383,700.00		2018 authorization carried into 2019 -- Wooded Trail.
403	901	990894	Park Trails	60,000.00		Balance of 424 shoulder project carried into 2019.
<b>TOTAL - Capital Improvement Fund</b>				<b>909,522.00</b>		
589	010	977100	Rehab. Construction	129,000.00		2018 auth. carried into 2019 -- Carpenter Rd.
589	011	977100	Rehab. Construction	221,755.00		2018 auth. carried into 2019 -- College Place.
589	011	977090	Engineering Construction	17,335.00		2018 auth. carried into 2019 -- College Place.
589	017	977100	Rehab. Construction	228,020.00		2018 auth. carried into 2019 -- Auglaize Interceptor.
589	019	977100	Rehab. Construction	1,343,000.00		2018 auth. carried into 2019 -- E. High Street.
589	019	977090	Engineering Construction	113,445.00		2018 auth. carried into 2019 -- E. High Street.
<b>TOTAL - Sewer Capital Improvement Fund</b>				<b>2,052,555.00</b>		
768	909	990001	Principal	(21,065.00)		Commerce Drive Debt Service Over-Budgeted
<b>TOTAL - Commerce Drive Fund</b>				<b>(21,065.00)</b>		
<b>GRAND TOTAL - ALL FUNDS</b>				<b>2,912,981.84</b>		

Thank you,



John W. Lehner  
Finance Director  
City of Defiance

**Related Revenue Adjustments**

248	900	679000	Reimbursement	(5,780.00)
403	400	600006	Grants	452,000.00
403	810	673005	Donations	75,000.00
589	720	698001	Proceeds of Notes	500,000.00
589	900	698007	WPCLF Loan Proceeds	1,792,775.00
768	900	699002	Transfer from GF	(21,065.00)
<b>Total</b>				<b>2,792,930.00</b>

## **RESOLUTION No. 2505**

### **A RESOLUTION DECLARING THE CITY OF DEFIANCE, OHIO A "PURPLE HEART CITY"**

**WHEREAS**, the City of Defiance, Ohio has many veterans who contribute to the community, some of whom were wounded as a result of enemy action during war time; and

**WHEREAS**, General George Washington created the Badge of Military Merit in 1782, bestowing the award on soldiers who displayed "not only instances of unusual gallantry in battle, but also extraordinary fidelity and essential service in any way"; and

**WHEREAS**, General Douglas MacArthur revived the Purple Heart under General Order No. 3 dated 22 February 1932 out of respect to the memory and military achievements of General Washington; and

**WHEREAS**, Council joins these great military commanders in cherishing "the virtuous ambition" of the soldiers who achieved this distinction; and

**WHEREAS**, the City places extraordinary value on the contributions and sacrifices of the men and women from the City of Defiance who served in the Armed Forces, especially of those wounded or killed in action;

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

**Section 1:** That the City of Defiance, Ohio will henceforth be known as a "Purple Heart City", honoring the service and sacrifice of our nation's men and women in uniform wounded or killed by the enemy while serving to protect the freedoms enjoyed by all Americans and will proudly display this designation in a prominent place.

**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: February 12 \_\_\_\_\_, 2019

David McMaster \_\_\_\_\_  
President of Council

Attest: Lisa Elders \_\_\_\_\_, Clerk

Approved: February 12 \_\_\_\_\_, 2019

Michael McCann \_\_\_\_\_  
Mayor