

Ordinance No. 7926

AN ORDINANCE ESTABLISHING THE “HELPING HANDS” PROGRAM

WHEREAS, The Defiance Area Foundation desires to establish a program pursuant to which municipal utility consumers may voluntarily choose to contribute money to the Defiance Area Foundation for the support of charitable organizations providing services to people residing in the geographic area served by municipal water and wastewater utilities through the municipal utilities billing office; and,

WHEREAS, the proposed “Defiance Area Foundation Donor Advised Fund Agreement with the City of Defiance” was approved by the Defiance Area Foundation on April 27, 2017;

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

Section 1: The Mayor and President of Council are authorized to execute the proposed “Defiance Area Foundation Donor Advised Fund Agreement with the City of Defiance” now on file in the office of the City Law Director and deliver the same to the Defiance Area Foundation.

Section 2: All municipal officers are authorized to take such actions as may be necessary or appropriate to establish and operate the Donor Advised Fund in the manner provided by the “Defiance Area Foundation Donor Advised Fund Agreement with the City of Defiance”.

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: June 27 _____, 2017

Michael Ketcham _____
President of Council

Attest: Lisa Elders _____, Clerk

Approved: June 27 _____, 2017

Michael McCann _____
Mayor

Ordinance No. 7927

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH ZUERCHER TECHNOLOGIES TO SUPPLY, INSTALL AND MAINTAIN A RECORDS MANAGEMENT SYSTEM

WHEREAS, the Defiance County E-911 Center, Defiance County Sheriff's Department, City of Defiance Police Department and Hicksville Village Police Department rely on integrated hardware and software systems supplied by Emergitech to standardize law enforcement records management, improve interagency communications and promote efficiencies within the offices of the County Prosecutor and City Law Director; and,

WHEREAS, Emergitech was recently acquired by TriTech Software Systems, Inc; and,

WHEREAS, TriTech Software Systems, Inc. controls Zuercher Technologies, LLC, a developer of public safety records management systems that have traditionally been marketed as direct competitors to Emergitech branded products; and,

WHEREAS, TriTech Software Systems, Inc., has suspended development of enhancements to the Emergitech system and is encouraging Emergitech customers to migrate to Zuercher Technologies' suite of comparable products; and,

WHEREAS, The Chief of Police has concluded that Zuercher Technologies, LLC products will provide the Police Department with enhanced capabilities; and,

WHEREAS, Council finds that use of an integrated system of records management by Defiance County law enforcement agencies will promote officer safety and departmental efficiency;

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

Section 1: Upon receipt of confirmation from the Board of County Commissioners that purchase of the hardware and software components of the proposed Zuercher Technologies' integrated law enforcement records management system designated for use by the County agencies has been authorized, the City Administrator is authorized to contract with Zuercher Technologies, LLC to supply, install and maintain all hardware and software components of the proposed system designated for use by the Defiance Police Department at the prices and on the terms of service detailed in the proposal dated June 20, 2017, now on file in the office of the City Administrator.

Section 2: The Finance Director is authorized to pay the contract price of \$53,038.00 from lawfully available Capital Improvement funds.

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: June 27 _____, 2017

Michael Ketcham

President of Council

Attest: Lisa Elders _____, Clerk

Approved: June 27 _____, 2017

Michael McCann

Mayor

ORDINANCE NO. 7928

AN ORDINANCE DIRECTING THE CITY ADMINISTRATOR TO ACCEPT FUNDS GRANTED BY THE OHIO DEPARTMENT OF TRANSPORTATION TO ASSIST THE CITY WITH COSTS TO IMPROVE THE INTERSECTION OF STATE ROUTE 15 AND CLEVELAND AVENUE, TO SELECT AN ENGINEER TO DESIGN THE IMPROVEMENTS FOR WHICH FUNDS HAVE BEEN GRANTED AND DECLARING AN EMERGENCY

WHEREAS, The intersection of State Route 15 (Ottawa Avenue) and Cleveland Avenue is the 10th highest crash location in the five county planning region comprised of Defiance, Fulton, Henry, Paulding and Williams Counties; and,

WHEREAS, One in four collisions at the intersection results in personal injury to one or more occupants of the involved vehicles; and,

WHEREAS, All improvements installed by the City to reduce the frequency and severity of collisions at the intersection have proven to be inadequate; and,

WHEREAS, A collision at the intersection on June 11, 2017, resulted in a fatality; and,

WHEREAS, Establishment of manufacturing facilities by B & B Molded Products, Inc., and expansion of public school facilities by the Defiance City School District will aggravate the safety hazard by increasing vehicular, pedestrian and bicycle traffic through the intersection; and,

WHEREAS, A municipal safety study concluded that reconstruction of the intersection as a single lane roundabout is the most effective and cost efficient means available to reduce the frequency and severity of collisions; and,

WHEREAS, The cost to acquire right-of-way, design, and construct the recommended improvements is unaffordable without financial assistance from the Department of Transportation; and,

WHEREAS, The Ohio Department of Transportation encouraged the City to submit the proposed project for competitive evaluation and possible funding; and,

WHEREAS, Resolution 2487, passed April 26, 2016, authorized the City Administrator to make application to the Ohio Department of Transportation for a grant of Safety Funds to assist the City with the cost to design and construct the desired improvements; and,

WHEREAS, The application filed pursuant to Resolution 2487, resulted in an award of up to \$500,000 in transportation safety improvement funds to assist the City with anticipated costs to improve the intersection; and,

WHEREAS, Resolution 2492, passed February 14, 2017, authorized the City Administrator to make application to the Ohio Department of Transportation for a grant of Small Cities Program funds in an amount sufficient to offset 80% of the anticipated cost to construct the desired improvements; and,

WHEREAS, By letter dated June 8 and received June 12, 2017, the Ohio Department of Transportation notified the City Administrator that the Department has approved an award of \$1,100,000 in Federal funds to offset 95% of the estimated cost to construct the proposed improvements; and,

WHEREAS, The combined value of the awarded grants is \$1,600,000 and the projected local share of total project costs is presently estimated to be approximately \$100,000;

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

Section 1: City Council expresses sincere gratitude to the dedicated employees of the Ohio Department of Transportation for their efforts to assist the City with development of the conceptual plans for the needed intersection improvements and their assistance in presenting the proposed improvements to the public.

Section 2: The City Administrator is directed to immediately notify the Director of Transportation of the City's grateful acceptance of the transportation safety and Small

Cities Program grants awarded to assist the municipality with payment of the costs to improve the intersection of Ottawa Avenue (State Route 15) with Cleveland Avenue.

Section 3: The City Administrator is directed to publish notice of the City's intent to design intersection improvements conforming to the concept proposal submitted to the Ohio Department of Transportation in support of the applications for financial assistance and to solicit Statements of Qualifications from Design firms expressing a desire to be considered for engagement as the project engineer. The City Administrator is further directed to select the Design Professional deemed most qualified to prepare the plans and material specifications for construction of the intersection improvements and to negotiate terms and conditions of service with the selected firm in conformity with all applicable statutory requirements.

Section 4: 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 5: 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 Ohio Department of Transportation requested confirmation of the City's intention to accept the awarded funds by June 22, 2017. The Department of Transportation granted an extension of the acceptance date until June 30, 2017, to accommodate Council's meeting schedule. Failure to timely accept the awards may jeopardize funding that is essential to the project and the project is essential to eliminate a traffic hazard that endangers public safety. 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: June 27 _____, 2017

Michael Ketcham _____
President of Council

Votes in Favor of Adoption: 6 _____

Votes Opposed to Adoption: 1 _____

Attest: Lisa Elders _____, Clerk

Approved: June 27 _____, 2017

Michael McCann _____
Mayor

ORDINANCE No. 7929

**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:

201-Police & Fire Fund		
Operating	\$ 3,516.00	
TOTAL - 201-Police & Fire Fund		\$ 3,516.00
204-SCMR Fund		
Operating	\$ 500.00	
TOTAL - 204-SCMR Fund		\$ 500.00
249-Probation Grant Fund		
Salaries, Wages & Benefits	\$ 19,760.00	
Operating	\$ 4,625.00	
TOTAL - 249-Probation Grant Fund		\$ 24,385.00
589-Sewer Capital Improvement Fund		
Operating	\$ 905,000.00	
TOTAL - 589-Sewer Capital Improvement Fund		\$ 905,000.00
590-Water Pollution Control Fund		
Operating	\$ 61,810.00	
TOTAL - 590-Water Pollution Control Fund		\$ 61,810.00
792-Fire & Rescue Trust fund		
Operating	\$ 1,832.00	
TOTAL - 792-Fire & Rescue Trust fund		\$ 1,832.00
793-Fire Damage Repair/Removal Fund		
Operating	\$ 18,800.00	
TOTAL - 793-Fire Damage Repair/Removal Fund		\$ 18,800.00
GRAND TOTAL - ALL FUNDS		\$ 1,015,843.00

RECAPITULATION OF APPROPRIATIONS

201-Police & Fire Fund	\$ 3,516.00
204-SCMR Fund	\$ 500.00
249-Probation Grant Fund	\$ 24,385.00
589-Sewer Capital Improvement Fund	\$ 905,000.00
590-Water Pollution Control Fund	\$ 61,810.00
792-Fire & Rescue Trust fund	\$ 1,832.00
793-Fire Damage Repair/Removal Fund	\$ 18,800.00
GRAND TOTAL - ALL FUNDS	\$ 1,015,843.00

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.

President of Council

Votes Approving Adoption: 7
Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: June 27, 2017

Michael McCann
Mayor

**CITY OF DEFIANCE - FY 2017
SUPPLEMENTAL APPROPRIATIONS ORDINANCE**

June 23, 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.

General Fund: None.

Other Funds:

\$3,516 in the Police & Fire Fund to account for insurance reimbursement for a cruiser damaged in an accident.

\$500 in the Streets Fund (SCMR) to reflect reimbursement from the DDVB for the purchase of street barricades.

\$24,385 in the Probation Grant Fund to reflect the newest round of grant funding in effect July 1.

\$905,000 in the Sewer Capital Fund to re-appropriate funds authorized in 2016 for the Auglaize Interceptor, Diehl Park Bioretention Area, and engineering services for the 2018 E. High Street project.

\$61,810 in the Water Pollution Control Fund to cover additional OWDA debt payments that were not anticipated during budget preparation.

\$1,832 in the Fire & Rescue Trust Fund to account for 2017 expenditure of grant funds received but not spent in 2016.

\$18,800 in the Fire Damage Repair Fund to account for insurance monies received in connection with a fire on Gibson Street.

Thanks,

John W. Lehner
Finance Director
City of Defiance

Fund No.	Dept No.	Account No.	Account Name	Amount	Division
201	301	735003	Vehicle Maintenance	3,516.00	Police
TOTAL - Police & Fire Fund				3,516.00	
204	446	727000	Operating Supplies	500.00	
TOTAL - SCMR Fund				500.00	
249	198	702005	NB Non-Supervisory	19,760.00	
249	198	727000	Operating Supplies	475.00	
249	198	937600	Program Expense	4,150.00	
TOTAL - Probation Grant Fund				24,385.00	
589	009	977100	Rehab Construction	300,000.00	Diehl Park
589	017	977100	Rehab Construction	500,000.00	Auglaize Interceptor
589	019	977080	Engineering Design	105,000.00	E. High St.
TOTAL - Sewer Capital Fund				905,000.00	
590	540	990004	OWDA Loan Principal	47,665.00	
590	540	990005	OWDA Loan Interest	14,145.00	

TOTAL - Water Pollution Control Fund				61,810.00
792	336	730009	Rescue Equipment	1,832.00
TOTAL - Fire & Rescue Trust Fund				1,832.00
793	338	964000	Refund	18,800.00
TOTAL - Fire Damage Repair/Removal Fund				18,800.00
 GRAND TOTAL - ALL FUNDS				 1,015,843.00

Related Revenue Adjustments

204	900	679000	Reimbursement	500.00
249	400	600010	CCA Program Grant	24,385.00
403	400	600006	Grants	200,000.00
589	900	698007	WPCLF Loan Proceeds	770,000.00
589	400	600007	Grants/Federal	150,000.00
793	820	678009	Fire Damage Escrow	18,800.00
				 1,163,685.00

RESOLUTION No. 2494

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE REVOLVING LOAN COMMITTEE TO MAKE MONEYS FROM THE REVOLVING LOAN FUND AVAILABLE FOR DEMOLITION OF A VACANT RESIDENTIAL STRUCTURE

WHEREAS, the Revolving Loan Committee sought and received permission from the Ohio Development Services Agency to make Community Development Block Grant Funds from the Revolving Loan Fund available for the accomplishment of Federal objectives related to the revitalization of a low to moderate income residential neighborhood; and,

WHEREAS, during the course of the neighborhood revitalization, City officials learned of the existence of a vacant mobile home at 1117 Ottawa Avenue that was not included on the list of properties to be improved or demolished with the allowed funds; and,

WHEREAS, City officials determined that the vacant mobile home has a market value of less than \$10,000, that it has been unoccupied since 2009 and that it is not suitable for rehabilitation; and,

WHEREAS, the Revolving Loan Committee sought permission to expend additional moneys from the Revolving Loan Fund to demolish and remove the blighted mobile home from the premises of 1117 Ottawa Avenue and return the lot to productive use as a viable building site; and,

WHEREAS, the Revolving Loan Committee has been informed that the Ohio Development Services Agency now requires all applications seeking permission to re-purpose Community Development Block Grant Funds to be supported by Resolution of record expressing City Council's concurrence with the findings and recommendations of the Revolving Loan Committee;

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

Section 1: Council finds that the vacant mobile home located at 1117 Ottawa Avenue, Defiance, Ohio, has a reasonable market value of less than \$10,000 and that said structure has been vacant for more than three years. Council further finds that said structure is not fit for human habitation and that it is not suitable for rehabilitation. Council, therefore, concurs with the recommendation of the Revolving Loan Committee that moneys from the Revolving Loan Fund be made available to demolish the mobile home and restore the lot to a condition that will enable reuse of the land as a building site in furtherance of the government's stated objective to eliminate conditions of slum and blight, improve living standards and stabilize property values in the low to moderate income neighborhood fronted by Ottawa Avenue.

Section 2: Upon receipt of authorization from the Ohio Development Services Agency to use Revolving Loan Funds for that purpose, the City Administrator is authorized to award a contract to demolish the structure located at 1117 Ottawa Avenue, dispose of all construction debris in a lawful manner and abate such public nuisances as may be found to exist on the premises.

Section 3: 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 duly convened in accordance with law.

Section 4: This Resolution shall be effective on the earliest date permitted by law.

Passed: June 27 _____, 2017

Michael Ketcham

President of Council

Attest: Lisa Elders _____, Clerk

Approved: June 27 _____, 2017

Michael McCann

Mayor

RESOLUTION No. 2495

A RESOLUTION SUBMITTING THE QUESTION OF RENEWAL OF A TAX IN EXCESS OF THE 10-MILL LIMITATION TO THE ELECTORS OF THE LIBRARY DISTRICT AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 7, 2017

WHEREAS, The State Library Board established all lands within Defiance County as the Library District served by the Defiance Public Library; and,

WHEREAS, The Electors approved an ad valorem property tax outside the ten-mill limitation and at a rate not to exceed three-quarters of one mill (0.75 mill) for the purpose of providing adequate funds for payment of the operational expenses of the public Library during calendar years 2008, 2009, 2010, 2011 and 2012; and,

WHEREAS, The Electors approved a renewal of the aforesaid an ad valorem property tax for the purpose of providing adequate funds for payment of the operational expenses of the public Library during calendar years 2013, 2014, 2015, 2016 and 2017; and,

WHEREAS, By Resolution adopted May 31, 2017, the Board of Trustees of the Defiance Public Library declared that:

1. the amount of taxes that may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the public library;
2. renewal of the existing tax in excess of the ten-mill limitation is necessary to provide for the current expenses of the Library; and,
3. the question of renewal is to be submitted to the Electors residing within the boundaries of the Library District at the General Election to be held November 7, 2017; and,

WHEREAS, Revised Code Section 5705.23 requires Council to certify the question to the Board of Elections for submission to the Electors;

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

Section 1: For the purpose of providing funds for current expenses of the public library, renewal of the existing ad valorem property tax outside the ten-mill limitation and at a rate not to exceed three-quarters of one mill (0.75 mill) for a period of five (5) years beginning with the tax list and duplicate for the year 2017, the proceeds of which will first become available to the Defiance Public Library in calendar year 2018, shall be submitted to the Electors of Defiance County in accordance with Section 5705.23 and related provisions of the Ohio Revised Code at an election to be held thereon November 7, 2017. Said election shall be conducted during the hours provided by law at the regular places of voting in the County as established by the Board of Elections of Defiance County and shall be conducted, canvassed and certified in the manner provided by law.

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 duly convened in accordance with law.

Section 3: Pursuant to Section 5705.23 of the Ohio Revised Code, this Resolution shall be effective immediately upon adoption and without publication. The Clerk is directed to certify this Resolution to the Board of Elections within 7 days of adoption. The Board of Trustees of the Defiance Public Library is directed to cause notice of the election to be given in the manner provided by law.

Passed: June 27, 2017

Michael Ketcham
President of Council

Attest: Lisa Elders,
Clerk

Approved: June 27, 2017

Michael McCann
Mayor

CERTIFICATE OF AUTHENTICITY
TO THE BOARD OF ELECTIONS OF DEFIANCE COUNTY

I hereby certify that the attached is a true, accurate and complete copy of Resolution No. 2495 duly adopted by the Council of the City of Defiance, Ohio, on June 27, 2017, and approved by the Mayor of the City of Defiance, Ohio, on June 27, 2017.

I do further certify that the Meeting at which Resolution 2495 was adopted was duly convened and conducted in accordance with all requirements of general law, the Charter of the City of Defiance and all applicable local Ordinances.

Lisa Elders
Lisa Elders
Clerk of Council