

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 APRIL 9, 2019
OPENING COMMENTS – 7:00 P.M.

MAYOR MCCANN STATE OF THE CITY ADDRESS

SPECIAL GUEST: NONE

PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE AUTHORIZING RENEWAL OF A LEASE AGREEMENT FOR THE ARMORY BUILDING PROPERTY LOCATED AT 644 CLINTON STREET AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE ESTABLISHING AN INCREASE IN COMPENSATION OF THE PRESIDENT AND MEMBERS OF CITY COUNCIL

FIRST READING: AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE MAYOR

CITIZEN CONCERNS: NAME & ADDRESS FOR THE RECORD (5 MINS)

STUDY SESSION: DESIGNATED OUTDOOR REFRESHMENT AREAS

COMMITTEE ASSIGNMENTS	TIME	DATE (2019)	AGENDA
▷SEWER: LUNDBERG , Krutsch, Plant	7:00 P.M.	Tuesday - APRIL	NO MEETING
▷STREETS & SIDEWALK: HANCOCK , Eureste, Krutsch	7:00 P.M.	Tuesday - APRIL	NO MEETING
▷UTILITIES, GAS & LIGHTS: PLANT , Waxler, Lundberg	7:00 P.M.	Tuesday – APRIL	NO MEETING
▷POLICE & FIRE: WAXLER , Hancock, Engel	7:00 P.M.	Tuesday - APRIL	NO MEETING
▷TRAFFIC COMMISSION: LEONARD , Mayor, Cereghin, Shafer, Wilkins, Sprow, Waxler, Eureste, Krutsch	5:00 P.M.	Tuesday - APRIL	NO MEETING
▷FINANCE: LUNDBERG , Hancock, Plant	7:00 P.M.	Tuesday – APRIL	NO MEETING
▷BUILDING AND LANDS: ENGEL , Eureste, Waxler	7:00 P.M.	Tuesday – APRIL	NO MEETING
▷WATER: KRUTSCH , Eureste, Engel	7:00 P.M.	Tuesday - APRIL	NO MEETING
▷ECONOMIC DEVELOPMENT: EURESTE , Krutsch, Waxler	7:00 P.M.	Tuesday – APRIL	NO MEETING
▷PUBLIC RELATIONS: PLANT , Lundberg, Hancock	7:00 P.M.	Tuesday – APRIL	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

▷2019 CHARTER REVIEW COMMITTEE: BEARD , Armstrong, Groff, Handy, Mack	5:30 P.M. FRONT CONFERENCE ROOM	APRIL 2019	
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ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING RENEWAL OF A LEASE AGREEMENT FOR THE ARMORY BUILDING PROPERTY LOCATED AT 644 CLINTON STREET AND DECLARING AN EMERGENCY

WHEREAS, Council authorized a lease agreement with the Northwestern Ohio Community Action Commission (“N.O.C.A.C.”) for the parcels located at 644 Clinton Street in Ordinance No. 5913 on April 14, 1998; and,

WHEREAS, N.O.C.A.C. manages a federally-funded pre-kindergarten program for children from low-income families commonly referred to as “Head Start”; and,

WHEREAS, Article II, Section 2.12(11) of the Charter assigns Council with the authority to lease real property; and,

WHEREAS, the proposed agreement is for a term of six (6) years, backdated to May 1, 2018, and continues on a year-over-year basis after June 30, 2024; and,

WHEREAS, Council finds that the provision of facilities for the Head Start Program supports the Education Pillar of the Defiance Community Strategic Plan by promoting school readiness for young children prior to attaining the age of five (5) years;

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 Lease Agreement between the City and N.O.C.A.C. currently on file in the office of the Law Director.

Section 2: The City Administrator is further authorized to take any and all action required by the terms of the Lease Agreement, including the commencement of any action to enforce all legal and equitable rights afforded thereunder.

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 Lessee requires this Agreement to take immediate effect in order to remain eligible for funding under Title 42 of the United States Code. 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: _____, 2019

President of Council

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

Attest: _____, Clerk

Approved: _____, 2019

Mayor

Ordinance No. _____

AN ORDINANCE ESTABLISHING AN INCREASE IN COMPENSATION OF THE PRESIDENT AND MEMBERS OF CITY COUNCIL

WHEREAS, Council last enacted a salary increase for the President of Council and Members of Council on January 6, 2009 in Ordinance No. 7012; and,

WHEREAS, the above-mentioned ordinance established a schedule of pay increases, with the last increase taking effect on January 1, 2015 at the current salary level of \$6,000.00 per year; and,

WHEREAS, Council reaffirmed the salary of \$6,000.00 per year on December 16, 2014 in Ordinance No. 7685; and,

WHEREAS, the City has traditionally compensated the President of Council and Members of Council equally and in an amount sufficient to permit a year's service on the Council to be recognized as a year of credited service in the Ohio Public Employees' Retirement System ("OPERS"); and,

WHEREAS, the General Assembly increased the one-year service credit in the OPERS Traditional and Combined pension plans to \$660.00 per month, or \$7,920.00 per year, effective January 1, 2018; and,

WHEREAS, Section 2.07 of the Charter of the City of Defiance, Ohio provides that Council may only change the salary of its Members commencing with the terms of office of Members of Council elected at the next regular Municipal election by ordinance on or before the filing deadline for declaration of candidacy for election to Council; and,

WHEREAS, Council finds that aligning the salaries of its Members with the OPERS one-year service credit will encourage public service and enable Members to preserve their pension amounts;

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

Section 1: The annual salary of the President of Council and each Member of Council shall be \$7,920.00, effective at the commencement of the term of office after the next regular Municipal election for each Council seat.

Section 2: The annual salaries thereafter shall increase or decrease automatically in accordance with the one-year OPERS service credit level established by the Ohio General Assembly.

Section 3: If any provision of this Ordinance is held illegal or unenforceable, such provision shall be severed and inoperable, and the remainder of this Ordinance shall remain operative with a salary for the President and Members of Council set at \$7,920.00 per year.

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 shall be effective on the earliest date permitted by law.

Passed: _____, 2019

President of Council

Attest: _____, Clerk

Approved: _____, 2019

Mayor

Ordinance No. _____

AN ORDINANCE ESTABLISHING THE COMPENSATION OF THE MAYOR

WHEREAS, Section 3.03 of the Charter of the City of Defiance, Ohio provides Council with the authority to fix the salary schedule of the Mayor and make any change not later than the first day of January *immediately preceding* the commencement of a new term of office; and,

WHEREAS, Council set the current salary of \$55,630.00 to take effect January 1, 2011 in Ordinance No. 6749 on December 5, 2006; and,

WHEREAS, Mayoral salary historically equaled the combined salary of the President of Council and seven Members of Council;

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

Section 1: During the term of office commencing January 1, 2024, the annual salary of the Mayor shall be \$63,360.00 or the total combined salary of the President of Council and Seven Members of Council, whichever is greater.

Section 2: In addition to salary, the Mayor shall receive a travel allowance or City car as provided by Codified Ordinance 129.03.

Section 3: If any provision of this Ordinance is held illegal or unenforceable, such provision shall be severed and inoperable, and the remainder of this Ordinance shall remain operative with a salary for the Mayor set at \$63,360.00 per year.

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 shall be effective on the earliest date permitted by law.

Passed: _____, 2019 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2019 _____
Mayor