

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 8210 REGARDING THE EASTSIDE NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENTS CONSTRUCTION CONTRACT AND DECLARING AN EMERGENCY

WHEREAS, Council authorized a construction contract with Ward Construction Co. for infrastructure improvements in the Karnes Avenue corridor in Ordinance No. 8210 on March 10, 2020; and,

WHEREAS, Council authorized a contract with Hillabrand & Sons Construction, LLC for the complete reconstruction of a portion of Karnes Avenue, itself, in Ordinance No. 8217 on April 28, 2020; and,

WHEREAS, the City has the opportunity to pave the remainder of Karnes Avenue at an additional *estimated* cost of \$73,512.00; and,

WHEREAS, the total cost will be based on the quantity of asphalt that the general contractor places; and,

WHEREAS, Council finds that the complete repaving of Karnes Avenue from Ottawa Avenue to Cleveland Avenue will promote the Connectivity Pillar 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 Engineer is directed to enter into a change order in the aforementioned contract with Ward Construction Co. to pave Karnes Avenue from Summit Street to Cleveland Avenue for a total amount not to exceed \$80,000.00 and according to the additional specifications on file with the City Engineer.

Section 2: The Finance Director is authorized to pay the final contract price based on the threshold set by Section 1 from appropriated funds allocated by expenditure from Line 403-901-52-980874 of the 2020 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 City must complete construction in 2020 to preserve the CDBG funding source. 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: _____, 2020

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2020

Mayor

Ordinance No. _____

AN ORDINANCE DESIGNATING CERTAIN ELIGIBLE INSTITUTIONS AS DEPOSITORIES OF PUBLIC MONEYS FOR THE CITY OF DEFIANCE FOR THE PERIOD FROM OCTOBER 1, 2020 TO, AND INCLUDING SEPTEMBER 30, 2025, AND DECLARING AN EMERGENCY.

WHEREAS, there has heretofore been given a notice requesting the submission of applications to serve as depositories of the public moneys of this City for the period from October 1, 2020 to, and including September 30, 2025, and

WHEREAS, those applications are presently on file in the Office of the Finance Director and such applications are hereby incorporated herein by reference, and it is therefore essential that action be taken on such applications as in this Ordinance provided;

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

Section 1. The applications to serve as depositories of the active funds of this City which have been received from the financial institutions referred to below, which are hereby determined to be eligible institutions for the deposit of such moneys, are hereby found to be in conformity with law, including but not limited to Chapter 135 of the Ohio Revised Code, and the financial institutions referred to below are hereby designated public depositories of the active moneys under the control of this City for the period from October 1, 2020 to, and including September 30, 2025. Said institutions are as follows:

The State Bank & Trust Company

Section 2. The applications to serve as depositories of the interim funds of this City which have been received from the financial institutions referred to below, which are hereby determined to be eligible institutions for the deposit of such moneys, are hereby found to be in conformity with law, including but not limited to Chapter 135 of the Ohio Revised Code, and the financial institutions referred to below are hereby designated public depositories of the interim moneys under the control of this City for the period from October 1, 2020 to, and including September 30, 2025. Said institutions are as follows:

The State Bank & Trust Company
Farmers & Merchants State Bank
Citizens National Bank
Premier Bank
Tri State Capital Bank
Waterford Bank

Section 3. The Finance Director be and he is hereby authorized to determine from time to time the amount of funds available for investment of deposits as interim moneys, to select the date or dates for investment or deposit of such interim moneys, and to select the classifications of obligations for the investment or deposit of such moneys as provided in Section 135.14 of the Ohio Revised Code; provided, however, that if such moneys are determined to be deposited as interim deposits (evidenced by a certificate of deposit) in accordance with Section 135.14(B)(3) of the Ohio Revised Code, the same shall be deposited with the financial institution specified above which offered to pay the highest permissible interest rate as nearly as practicable in proportion to the respective capital funds as defined in Section 135.01 (C) of the Ohio Revised Code, taken into account, however, the amount of funds from time to time to be deposited, the amount required to be deposited to obtain the highest permissible interest rate, and maturity dates and rights of redemption with respect to the respective deposits.

Section 4. The award of public moneys herein made is subject to the provisions of Chapter 135 of the Ohio Revised Code, including the limitation imposed by, and the variations permitted by, Sections 135.03 and 135.20 thereof; and, subject to the provisions of such chapter. Deposits of moneys shall be made pursuant to this Ordinance from time to time in accordance with the financial requirements of this City.

Section 5. The Finance Director is hereby directed to keep all such applications received from financial institutions and referred to above on file in his office.

Section 6. The Finance Director is hereby authorized and directed to forward certified copies of this Ordinance to the financial institutions herein designated as public depositories of the City, and the Finance Director is hereby authorized and directed to execute on behalf of this City such memorandum agreements relating to the designation of such institutions as public depositories and the securing of deposits therein as are required, authorized or permitted by law.

Section 7. 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 8. This Ordinance is hereby declared to be an emergency measure necessary to preserve the public health, welfare and safety of the residents of the City of Defiance, and further to maintain the legal investment of funds being necessary for the proper operation of the City. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five members of Council and approval of the Mayor.

Passed: _____, 2020 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2020 _____
Mayor

RESOLUTION No. _____

A RESOLUTION IN SUPPORT OF CITY LAW ENFORCEMENT AND SAFETY SERVICES

WHEREAS, two Los Angeles County Sheriff's Deputies were ambushed while sitting in a patrol car on September 12, 2020; and

WHEREAS, thirty-seven (37) law enforcement officers have been killed in the line of duty in the United States so far in 2020, a twenty percent (20%) increase year-over-year; and

WHEREAS, Council is distressed and alarmed at these attacks and at the violence sweeping the nation; and

WHEREAS, Council finds that a firm commitment to law and order is the bedrock of a just and prosperous city; and

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

Section 1: The City values the contributions of law enforcement personnel serving the municipality and the surrounding area and places the highest priority on their safety.

Section 2: Council condemns any and all violence against law enforcement and safety service personnel, property destruction, or other unlawful activity, no matter the purported justification.

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 or in Executive Session duly convened in accordance with law.

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

Passed: _____, 2020 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2020 _____
Mayor