

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 OCTOBER 11, 2016
OPENING COMMENTS – 7:00 P.M.

COUNCIL HOURS
TUESDAY OCTOBER 11, 2016
6:00 P.M. – 6:45 P.M.

PUBLIC HEARING: NONE

SECOND READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF A CASE-IH FARMALL MODEL A 70 TRACTOR AND SALE, BY TRADE IN ALLOWANCE, OF A 2002 JOHN DEERE MODEL 4710 TRACTOR.

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENGAGE AECOM TO DESIGN IMPROVEMENTS TO WATER POLLUTION CONTROL CLARIFIER #5.

FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT WITH THE MANNIK & SMITH GROUP FOR PROFESSIONAL ENGINEERING AND DESIGN SERVICES AND DECLARING AN EMERGENCY.

FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT WITH BURK MOWING & EXCAVATING AND DECLARING AN EMERGENCY.

STUDY SESSION: NONE

LIAISON ASSIGNMENTS	TIME	DATE	AGENDA
♣SEWER: KRUTSCH	7:00 P.M.	Tuesday - OCTOBER 2016	NO MEETING
♣STREETS & SIDEWALK: WAXLER	7:00 P.M.	Tuesday - OCTOBER 2016	NO MEETING
♣UTILITIES, GAS & LIGHTS: ORZOLEK	7:00 P.M.	Tuesday - OCTOBER 2016	NO MEETING
♣POLICE & FIRE: LUNDBERG	7:00 P.M.	Tuesday - OCTOBER 2016	NO MEETING
♣TRAFFIC COMMISSION: LEONARD, Mayor, Cereghin, Shafer, Wilkins, Warner, Orzolek, Hancock, Krutsch	5:30 P.M.	2 nd Tuesday - OCTOBER 2016	NO MEETING
♣FINANCE: ENGEL	7:00 P.M.	Tuesday - OCTOBER 2016	NO MEETING
♣BUILDING AND LANDS: HANCOCK	7:00 P.M.	Tuesday - OCTOBER 2016	NO MEETING
♣WATER: LUNDBERG	7:00 P.M.	Tuesday - OCTOBER 2016	NO MEETING
♣ECONOMIC DEVELOPMENT: OBERLIN	7:00 P.M.	Tuesday - OCTOBER 2016	NO MEETING,
♣COMMUNITY INTERACTION: OBERLIN	7:00 P.M.	Tuesday - OCTOBER 2016	NO MEETING
♣BOARD OF CONTROL MEETING: MAYOR, Leonard, Williams, Lehner	9:00 A.M.	Tuesdays and Thursdays	POSTED AT 631 PERRY STREET

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF A CASE-IH FARMALL MODEL A 70 TRACTOR AND SALE, BY TRADE IN ALLOWANCE, OF A 2002 JOHN DEERE MODEL 4710 TRACTOR

WHEREAS, a 2002 John Deere Model 4710 tractor originally purchased to mow parklands is now used to maintain street and road right-of-ways and has proven to be inadequate for highway use; and,

WHEREAS, the Street Superintendent recommends replacement of the John Deere Model 4710 tractor with a Case-IH Farmall model A 70 tractor to better accommodate mowing equipment suitable for street and highway maintenance purposes;

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

Section 1: The City Administrator is authorized to purchase one Case-IH Farmall model A 70 tractor through the National Joint Purchasing Alliance, Program Number 2050, Contract Number 021815-CNH, at a cost of \$25,297.50 and to sell, by trade-in allowance, one 2002 John Deere Model 4710 tractor at the offered price of \$11,950.00.

Section 2: The Finance Director is authorized to pay the net purchase price of \$13,347.50 and such other expenses as may be incurred in accordance with the terms and conditions of sale from 2016 Budgetary Line 204-446-5-2-945-000.

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: _____, 2016

President of Council

Attest: _____, Clerk

Approved: _____, 2016

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENGAGE AECOM TO DESIGN IMPROVEMENTS TO WATER POLLUTION CONTROL CLARIFIER #5

WHEREAS, Recent inspection of the Water Pollution Control Treatment Works detected delamination of the interior floor of clarifier #5; and,

WHEREAS, Continued operation of the clarifier without correction of the defect could result in detachment of concrete resulting in damage to mechanical systems; and,

WHEREAS, AECOM has proposed to expand the scope of services to be rendered to the City pursuant to existing contracts to include additional work to: determine the cause of the delamination, design improvements to restore functional utility to the clarifier, submit the design to the Ohio Environmental Protection Agency for review, revise of the design and/or material specifications as necessary to secure the issuance of permits to install the improvements, prepare construction bid documents and oversee the bidding process;

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

Section 1: The City Administrator is authorized to execute the proposed contract modification identified as: *“City of Defiance, Scope of Services, PO# 2016-01441, Modification #1”*, dated July 28, 2016, and deliver the same to AECOM.

Section 2: The Finance Director is authorized to pay the \$40,000.00 professional fee established by the accepted proposal from 2016 Budgetary Line 590-540-5-2-973-004.

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: _____, 2016 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2016 _____
Mayor

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A CONTRACT WITH THE MANNIK & SMITH GROUP FOR PROFESSIONAL ENGINEERING AND DESIGN SERVICES AND DECLARING AN EMERGENCY

WHEREAS, the City received a \$400,000 grant of Federal Great Lakes Restoration Initiative funds to design and install improvements to stabilize the stream bank within and adjacent to Pontiac Park and at other locations in the immediate vicinity of the confluence of the Maumee and Auglaize Rivers; and,

WHEREAS, Mannik & Smith Group was selected as the preferred design consultant and submitted an acceptable proposal to perform the necessary services on a time and expense basis subject to a not-to-exceed price guarantee of \$85,395.00;

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

Section 1: The City Administrator is authorized to award a contract to the Mannik & Smith Group to perform all services described by the October 5, 2016, proposal on the terms of service therein recited and at a cost of not more than \$85,395.00.

Section 2: The Finance Director is authorized to pay all costs arising under the terms of the authorized contract from 2016 Budgetary Line 403-901-5-2-978-032.

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 is declared to be an emergency measure necessary to preserve the welfare of the community for the reason that the Great Lakes Restoration Initiative funds were belatedly awarded to the municipality necessitating that all work undertaken by the City be designed and constructed on a compressed schedule to assure completion prior to expiration of the Congressional appropriation. 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: _____, 2016 _____
President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2016 _____
Mayor

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A CONTRACT WITH BURK MOWING & EXCAVATING AND DECLARING AN EMERGENCY

WHEREAS, the City has received a grant of funds from the Federal Emergency Management Agency and a supplemental grant of funds from the Ohio Emergency Management Agency to acquire and demolish flood prone structures in furtherance of Federal Flood Hazard Mitigation Program objectives; and,

WHEREAS, the City has acquired lands located at 717 and 721 Riverside Avenue and is obligated by the terms of the grant to demolish all structures located on those lands before December 31, 2016; and,

WHEREAS, the City solicited proposals to demolish the structures and dispose of the debris in accordance with all applicable Federal and State statutory and regulatory requirements and Burk Mowing & Excavating submitted the lowest priced proposal;

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

Section 1: The City Administrator is authorized to award a contract to Burk Mowing & Excavating to perform all services described by the solicitation on the terms of service established by the accepted proposal submitted for competitive review on or about September 30, 2016, and at the price therein quoted of \$17,608.00.

Section 2: The Finance Director and Maumee Valley Planning Organization are authorized to pay all costs arising under the terms of the authorized contract from Federal Hazard Mitigation Grant Program (FEMA-4002-DR-OH) funds administered by Maumee Valley Planning Organization pursuant to Resolution 2443, passed March 5, 2013.

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 is declared to be an emergency measure necessary to preserve the health, safety and welfare of the community for the reason that all work authorized by this Ordinance must be completed by November 18, 2016, to assure compliance with the terms and conditions of the Federal grant. 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: _____, 2016

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2016

Mayor