

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 25, 2016
OPENING COMMENTS – 7:00 P.M.

COUNCIL HOURS
TUESDAY OCTOBER 25, 2016
6:00 P.M. – 6:45 P.M.

MAYOR McCANN PRESENTING A PROCLAMATION TO EAGLE SCOUT CALEB KUHN

PRESENTATION: DEFIANCE COUNTY BOARD OF DD

FIRST READING: AN ORDINANCE RATIFYING AND CONFIRMING THE CONVEYANCE OF LAND AND DECLARING AN EMERGENCY.

FIRST READING: AN ORDINANCE AUTHORIZING CONTRACTS TO IMPROVE THE ELECTRIC DISTRIBUTION AND LIGHTING SYSTEMS AT 1441 QUALITY DRIVE AND DECLARING AN EMERGENCY.

FIRST READING: AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FOR THE CITY OF DEFIANCE, OHIO FOR THE YEAR ENDING DECEMBER 31, 2016.

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.	2nd 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 RATIFYING AND CONFIRMING THE CONVEYANCE OF LAND AND DECLARING AN EMERGENCY

WHEREAS, Ordinance 5084, passed October 3, 1989, authorized the lease of lands within the Atlantic and Pacific Urban Renewal and Industrial Area to Robert J. Spiker for a period of 30 years in accordance with terms and conditions established by Ordinance 4350, passed May 17, 1983; and,

WHEREAS, Ordinance 7571, passed December 10, 2013, found and determined that all costs incurred to develop the Atlantic and Pacific Urban Renewal and Industrial Area had been recouped through the collection of rents in lieu of taxes; and,

WHEREAS, Ordinance 7571 directed that all tax exemptions created by Ordinance 4350 be extinguished and further directed that all municipally owned lands within the Atlantic and Pacific Urban Renewal and Industrial Area be conveyed to the Lessees then in possession; and,

WHEREAS, Council finds that on December 10, 2013, Lot Number 6 in and of Zellers First Addition to the City of Defiance was occupied by RJS Integrity Properties, LLC as successor to Robert J. Spiker, that RJS Integrity Properties, LLC continues to occupy the premises pursuant to the lease authorized by Ordinance 5084, that all conditions precedent to conveyance of the real estate in accordance with Ordinance 7571 have been satisfied and that Ordinance 7571 remains in full force and effect;

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

Section 1: Pursuant to the authority of and in compliance with the municipal obligations established by Ordinance 7571, the Mayor is directed to execute and deliver the Quit Claim Deed conveying Lot Number 6 in and of Zellers First Addition to the City of Defiance to RJS Integrity Properties, LLC, now on file in the office of the City Law Director. The conveyance of title evidenced by said instrument is hereby ratified and confirmed.

Section 2: 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 3: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that immediate execution and delivery of the deed is necessary to comply with obligations established by Ordinance 7571. 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 CONTRACTS TO IMPROVE THE ELECTRIC DISTRIBUTION AND LIGHTING SYSTEMS AT 1441 QUALITY DRIVE AND DECLARING AN EMERGENCY

WHEREAS, The municipality purchased industrial facilities at 1441 Quality Drive to house multiple Divisions of the Department of Service and Safety in an effort to reduce operational costs through consolidation of labor and equipment; and,

WHEREAS, The electrical distribution system within the building must be reconfigured to reduce the voltage supplied to most outlets from 480 volts to lower voltages suited to the systems and equipment required for municipal operations and permit safe occupancy of the structure; and,

WHEREAS, Designs and specifications for alteration of the electrical circuitry have been developed by the Superintendent with assistance from Beilharz Architects and the Ohio Department of Commerce; and,

WHEREAS, Incorporation of LED lighting into the electrical improvements will significantly reduce electric consumption and operational costs; and,

WHEREAS, Gustwiller Electric Supply of Defiance, Ohio, submitted the lowest responsive and responsible proposal to supply the labor and materials needed to adapt the electric distribution circuitry to the City's requirements; and,

WHEREAS, Lake Erie Electric of Toledo, Ohio, Inc., submitted the lowest responsive and responsible proposal to supply and install the desired lighting fixtures;

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

Section 1: The City Administrator is authorized to contract with Gustwiller Electric Supply to supply all labor and materials required to convert 480 volt services at 1441 Quality Drive to lower voltages as detailed in the September 16, 2016, proposal and at the quoted price of \$29,400.00.

Section 2: The City Administrator is authorized to contract with Lake Erie Electric of Toledo, Inc., to replace 66 High Intensity Discharge lighting fixtures with LED fixtures and install energy efficient exit signage, egress lighting and garage door openers as detailed in the accepted proposal and at the quoted price of \$26,329.00.

Section 3: The Finance Director is authorized to pay all costs incurred in accordance with the contracts authorized by Sections 1 and 2 of this Ordinance from Line 591-538-5-2-727-010 of the 2016 annual budget.

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 duly convened in accordance with law.

Section 5: This Ordinance is declared to be an emergency measure necessary to preserve the welfare of the community for the reason that occupancy of the structure at the earliest possible time is necessary to maximize the operational cost benefits to be achieved by purchase of the building. 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 THE TRANSFER
OF FUNDS FOR THE CITY OF DEFIANCE, OHIO FOR THE
YEAR ENDING DECEMBER 31, 2016.**

Whereas, the Council of the City of Defiance has previously provided for the transfer of funds in the annual appropriation ordinance; and

Whereas, the City Finance Director has determined that it is necessary to transfer a portion of the appropriated funds in order to meet current expenses and other expenditures of the City:

Now, therefore, be it enacted by the Council of the City of Defiance, Defiance County, Ohio:

Section 1: The following amounts shall be transferred for the month of October, 2016:

<u>FUND FROM</u>	<u>AMOUNT</u>	<u>FUND TO</u>
General Fund #101	\$ 320,833	Police & Fire Fund #201
General Fund #101	\$ 24,166	Police Pension Fund #732
General Fund #101	\$ 23,333	Fire Pension Fund #733
WPC Fund #590	\$ 36,366	General Fund #101
WPC Fund #590	\$ 17,083	Utilities Billing Office Fund #585
WTP Fund #591	\$ 34,066	General Fund #101
WTP Fund #591	\$ 17,083	Utilities Billing Office Fund #585

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: _____, 2016 _____

Votes Approving Adoption: _____

Votes Opposing Adoption: _____

Attest: _____, Clerk

Approved: _____, 2016 _____

Mayor