

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 4, 2016
OPENING COMMENTS – 7:00 P.M.

COUNCIL HOURS
TUESDAY OCTOBER 4, 2016
6:00 P.M. – 6:45 P.M.

PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT WITH D & R DEMOLITION CORPORATION AND DECLARING AN EMERGENCY.

FIRST 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 RENEWAL OF A CONTRACT WITH DEFIANCE COUNTY PERTAINING TO REIMBURSEMENT OF MUNICIPAL EXPENSES INCURRED TO PROVIDE LEGAL SERVICES TO INDIGENT DEFENDANTS PROSECUTED IN MUNICIPAL COURT FOR OFFENSES PROSCRIBED BY MUNICIPAL ORDINANCE.

FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT WITH BERGREN ASSOCIATES TO SUPPLY AND INSTALL TELEMETRIC EQUIPMENT.

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 A CONTRACT WITH D & R
DEMOLITION CORPORATION 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 208 and 218 East Second Street 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 D & R Demolition Corporation 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 D & R Demolition Corporation 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 23, 2016, and at the price therein quoted of \$17,500.00.

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 3, 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

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 RENEWAL OF A CONTRACT WITH DEFIANCE COUNTY PERTAINING TO REIMBURSEMENT OF MUNICIPAL EXPENSES INCURRED TO PROVIDE LEGAL SERVICES TO INDIGENT DEFENDANTS PROSECUTED IN MUNICIPAL COURT FOR OFFENSES PROSCRIBED BY MUNICIPAL ORDINANCE

WHEREAS, the State Public Defender allocates funds to Defiance County for payment of expenses incurred to provide legal services to indigent persons charged with offenses punishable by incarceration; and,

WHEREAS, a long standing agreement between the City and County has enabled the County to allocate a portion of the funds received from the Public Defender to payment of expenses incurred to provide constitutionally required legal services to persons prosecuted for offenses proscribed by municipal ordinance; and,

WHEREAS, the aforesaid agreement was most recently revised in 2013 to conform to requirements prescribed by the Public Defender and can be annually renewed by Ordinance of Council and Resolution of the Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners has adopted a Resolution authorizing renewal of the agreement for calendar year 2017;

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

Section 1: The agreement between the City of Defiance and County of Defiance entitled, "*Agreement for Indigent Defense Services in Municipal Court (Assigned Counsel)*" is hereby extended without modification for the period beginning January 1, 2017, and ending December 31, 2017. The City Finance Director is authorized to receive and disburse funds in accordance with the agreement during calendar year 2017.

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 duly convened in accordance with law.

Section 3: This Ordinance shall be effective on the earliest date permitted by law.

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 THE BERGREN ASSOCIATES TO SUPPLY AND INSTALL TELEMETRIC EQUIPMENT

WHEREAS, the telemetry equipment used to inform water treatment plant operators of conditions in the raw water reservoir and potable water storage towers is obsolete and cannot be maintained due to the unavailability of replacement parts; and,

WHEREAS, the Water Superintendent and City Administrator recommend replacement of the antiquated equipment with sensors that transmit data to the Water Treatment Works over licensed radio frequencies to eliminate costs associated with land line telephony; and,

WHEREAS, the need to purchase equipment that is compatible with installed process control systems limits the range of products that are suitable for municipal use and, thereby, the number of manufacturer-approved vendors that are capable of supplying the City's need; and,

WHEREAS, the Water Superintendent recommends that the needed equipment be obtained from and installed by The Bergren Associates of Sylvania, Ohio;

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 The Bergren Associates to supply and install the telemetry equipment and optional radio communication equipment detailed as "Option 1" in the proposal submitted by The Bergren Associates on or about September 21, 2016, on terms of service and quoted price of \$47,725.00 therein recited.

Section 2: The Finance Director is authorized to pay all costs arising under the contract authorized by Section 1 from Line 591-537-5-2-980-880 of the 2016 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 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