

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 FEBRUARY 9, 2016
Opening Comments – 7:00 p.m.

COUNCIL HOURS
TUESDAY FEBRUARY 9, 2016
NO COUNCIL HOURS DUE TO TRAFFIC
COMMISSION MEETING

PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY HISTORIAN TO SELL COINS DEACCESSIONED FROM THE ANDREW L. TUTTLE MEMORIAL MUSEUM BY PUBLIC AUCTION.

FIRST READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO PICK-UP TRUCKS FROM MARK MOATS FORD, INC. AND DIRECTING THE SALE OF TWO PICK-UP TRUCKS AS MUNICIPAL SURPLUS.

FIRST READING: AN ORDINANCE AUTHORIZING AN AWARD OF CONTRACT TO RICHLAND CO. & ASSOCIATES, INC.

FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT WITH MANNIK & SMITH GROUP TO DESIGN IMPROVEMENTS TO ROSEWOOD AVENUE AND DECLARING AN EMERGENCY.

STUDY SESSION: NONE

LIAISON ASSIGNMENTS	TIME	DATE	AGENDA
♣SEWER: KRUTSCH	7:00 P.M.	Tuesday - FEBRUARY 2016	NO MEETING
♣STREETS & SIDEWALK: WAXLER	7:00 P.M.	Tuesday - FEBRUARY 2016	NO MEETING
♣UTILITIES, GAS & LIGHTS: ORZOLEK	7:00 P.M.	Tuesday - FEBRUARY 2016	NO MEETING
♣POLICE & FIRE: LUNDBERG	7:00 P.M.	Tuesday - FEBRUARY 2016	NO MEETING
♣TRAFFIC COMMISSION: LEONARD , Mayor, Cereghin, Tobias, Wilkins, Warner, Orzolek, Hancock, Krutsch	5:30 P.M.	2 nd Tuesday - FEBRUARY 9 2016	REVIEW THE DESIGNATION OF ONE-WAY STREETS IN THE VICINITY OF THE PUBLIC LIBRARY AND CARPENTER ROAD TRUCK TRAFFIC
♣FINANCE: ENGEL	7:00 P.M.	Tuesday - FEBRUARY 2016	NO MEETING
♣BUILDING AND LANDS: HANCOCK	7:00 P.M.	Tuesday - FEBRUARY 2016	NO MEETING
♣WATER: LUNDBERG	7:00 P.M.	Tuesday - FEBRUARY 2016	NO MEETING
♣ECONOMIC DEVELOPMENT: OBERLIN	7:00 P.M.	Tuesday - FEBRUARY 2016	NO MEETING,
♣COMMUNITY INTERACTION: OBERLIN	7:00 P.M.	Tuesday - FEBRUARY 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 CITY HISTORIAN TO SELL
COINS DEACCESSIONED FROM THE ANDREW L. TUTTLE
MEMORIAL MUSEUM BY PUBLIC AUCTION**

WHEREAS, the municipal government accepted a collection of coins, stamps and historic artifacts bequeathed by Andrew F. Tuttle and established the Andrew Tuttle Memorial Museum in conformity with the terms of the bequest; and,

WHEREAS, Chapter 165 of the Codified Ordinances, as most recently amended by Ordinance 7603, empowers the Andrew L. Tuttle Memorial Museum Board to deaccession artifacts from the collection and provides for the segregation, investment and use of moneys received as proceeds from the sale of deaccessioned artifacts; and,

WHEREAS, Ordinance 7663 found Numismatic Auctions, L.L.C. to be uniquely qualified to provide consultive services to the Museum and auction services to the municipal government and authorized the City Historian to enter into a continuing agreement with Numismatic Auctions, L.L.C. relating to the consignment and sale of artifacts deaccessioned from the museum collection; and,

WHEREAS, the Andrew L. Tuttle Memorial Museum Board engaged Numismatic Auctions, L.L.C. to assist the Board in making determinations about the relevance of various artifacts to museum purposes and deaccessioned 100 ancient coins itemized by an inventory dated January 22, 2016, and now on file with the Clerk of Council;

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

Section 1: The 100 ancient coins deaccessioned from the Andrew L. Tuttle Memorial Museum and itemized by the inventory dated January 22, 2016, are declared to be municipal surplus. The City Historian is authorized to sell the same at public auction in conformity with the terms of the consignment agreement authorized by Ordinance 7663. All proceeds of sale shall be deposited to the public sub-fund of the Endowed Donor Advised Fund established by Ordinance 7603.

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

Attest: _____, Clerk

Approved: _____, 2016

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO PICK-UP TRUCKS FROM MARK MOATS FORD, INC., AND DIRECTING THE SALE OF TWO PICK-UP TRUCKS AS MUNICIPAL SURPLUS

WHEREAS, provision has been made in the 2016 annual budget for replacement of a 2007 pick-up truck presently assigned for use by the Division of Streets and a 2007 pick-up truck presently assigned for use by the Division of Water; and,

WHEREAS, proposals were solicited to supply a new vehicle suitable for use by the Division of Streets; and,

WHEREAS, proposals were solicited to supply a new vehicle suitable for use by the Division of Water; and,

WHEREAS, Mark Moats Ford, Inc., submitted the lowest priced proposal in response to both solicitations; and,

WHEREAS, the 2007 pick-up trucks scheduled for replacement are suitable for use by the Division of Parks and Recreation; and,

WHEREAS, reassignment of the 2007 pick-up trucks to the Division of Parks & Recreation will negate the need for a 2000 Chevrolet pick-up presently dedicated to Riverside Cemetery and a 2001 Ford pick-up truck presently used to maintain parks, recreational facilities and public building grounds;

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

Section 1: The City Administrator is authorized to purchase two 2016 Ford F-250 XL four wheel drive pick-up trucks conforming to the product descriptions proposed on January 15, 2016, from Mark Moats Ford, Inc., at the quoted price of \$27,990.00 each. The Finance Director is directed to pay \$27,990.00 of the purchase price from Line 204-446-5-2-945-000 and \$27,990.00 from Line 591-538-5-2-945-000 of the 2016 annual budget.

Section 2: The City Administrator is directed to reassign one 2007 pick-up truck from the Division of Streets and one 2007 pick-up truck from the Division of Water to the Division of Parks and Recreation as replacements for the 2000 Chevrolet pick-up truck presently dedicated to cemetery maintenance and 2001 Ford pick up truck presently used for general operations. The 2000 Chevrolet and 2001 Ford pick up trucks are hereby declared to be municipal surplus and the City Administrator is directed to sell the same pursuant to Codified Ordinance 151.04.

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 AN AWARD OF CONTRACT TO RICHLAND CO. & ASSOCIATES, INC.

WHEREAS, the roof covering the two story portion of the municipal building located at 324 Perry Street must be replaced and sufficient funds were allocated to that purpose by the 2016 annual budget; and,

WHEREAS, bids to supply all labor, materials, fuel and equipment required to replace the roof were properly solicited and Richland Co. & Associates, Inc. submitted the lowest responsive and responsible proposal; and,

WHEREAS, the accepted bid is less than was allocated to the project by the 2016 annual budget and less than the engineer's estimate of probable costs;

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 Richland Co. & Associates, Inc., to supply all labor, materials, fuel and equipment required to replace the roof covering 324 Perry Street, Defiance, Ohio, in substantial conformity with the designs, material specifications and terms of service established by the accepted bid.

Section 2: The Finance Director is authorized to pay the contract price of \$64,929.00 from Line 403-901-5-2-976-040 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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A CONTRACT WITH MANNIK & SMITH GROUP TO DESIGN IMPROVEMENTS TO ROSEWOOD AVENUE AND DECLARING AN EMERGENCY

WHEREAS, Failure of the base and pavement of the Rosewood Avenue between Jefferson Avenue and Sherwood Drive necessitates reconstruction of the street; and,

WHEREAS, A qualifications-based selection process was properly employed to select Mannik & Smith Group as the most qualified consultant to design the improvements required to replace the street; and,

WHEREAS, Acceptable terms of engagement have been negotiated with Mannik & Smith Group in accordance with statutory requirements;

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 Mannik & Smith Group to perform all engineering, design and related services detailed in the January 27, 2016, proposal on the terms and conditions of service therein recited and at a cost of \$57,200.

Section 2: The Finance Director is authorized to pay the contract price and all incidental expenses incurred in accordance with the terms of the authorized contract from line 403-901-5-2-978-102 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 is declared to be an emergency measure necessary to preserve the safety and welfare of the community for the reason that public safety requires reconstruction of Rosewood Avenue during the 2016 construction season and public welfare requires that the construction be undertaken at an affordable cost necessitating that construction bids be solicited at the earliest possible date. 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