

**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 MAY 24, 2016  
Opening Comments – 7:00 p.m.

COUNCIL HOURS  
TUESDAY MAY 24, 2016  
6:00 p.m.-6:45 p.m.

PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE ICE CONTROL SALT.

FIRST READING: AN ORDINANCE AUTHORIZING AMENDMENT OF A CONTRACT BETWEEN THE CITY OF DEFIANCE AND STANTEC CONSULTING SERVICES, INC., AND DECLARING AN EMERGENCY.

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH ROADWAY SERVICES, INC.

FIRST READING: AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO PROCEED WITH FINANCING AND CONSTRUCTION OF THE AUGLAIZE INTERCEPTOR SEWER REHABILITATION PROJECT AND DECLARING AN EMERGENCY.

STUDY SESSION: NONE

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

# Ordinance No. \_\_\_\_\_

## AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE ICE CONTROL SALT

**WHEREAS**, Quotes to supply 600 tons of ice control salt for use during the 2016-2017 winter season were properly solicited and Morton Salt, Inc., submitted the lowest responsive and responsible proposal in the amount of \$76.97 per ton;

**WHEREAS**, the total cost of exceeds the discretionary spending authority accorded the Board of Control by Codified Ordinance §151.02;

**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 Morton Salt, Inc., to supply 600 tons of ice control salt at the quoted price of \$76.97 per ton.

**Section 2:** The Finance Director is authorized to pay the purchase price of \$46,182.00 from 2016 Budgetary Line 204-446-5-2-730-114.

**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 AMENDMENT OF A CONTRACT BETWEEN THE CITY OF DEFIANCE AND STANTEC CONSULTING SERVICES, INC., AND DECLARING AN EMERGENCY**

**WHEREAS**, Ordinance 7753 authorized the engagement of Stantec Consulting Services, Inc., to design an elevated water storage tower to replace the Greenler Street water tower; and,

**WHEREAS**, Ordinance 7811 authorized the award of a \$2,673,000 contract to Landmark Structures I, L.P. to erect a water tower conforming to the Stantec design; and,

**WHEREAS**, Council finds that the design engineer should be engaged to provide Construction Engineering and Resident Project Representative services to assure that the completed work conforms to the engineer's specifications; and,

**WHEREAS**, Stantec Consulting Services, Inc., has submitted an acceptable proposal to perform the desired services on terms and conditions of service that are consistent with those established by the existing contract;

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

**Section 1:** The City Administrator is authorized to amend the contract authorized by Ordinance 7753 to include the performance of all additional Construction Engineering and Resident Project Representative services described by the May 5, 2016, proposal on the terms of service recited therein.

**Section 2:** The Finance Director is authorized to pay professional fees and expenses accrued in accordance with the amended contract, not to exceed \$84,500.00, from 2016 Budgetary Line: 591-537-5-2-980-880 and from such moneys as may be appropriated and allocated to that purpose by the 2017 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 health, safety or welfare of the community for the reason that all engineering services to be performed pursuant to the authorized contract amendment must be rendered contemporaneously with construction activities that are scheduled to commence on or about June 1, 2016, and cannot be delayed without jeopardizing the municipality's ability to comply with financing requirements established by the Ohio Public Works Commission. 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 CITY ADMINISTRATOR TO CONTRACT WITH ROADWAY SERVICES, INC.

**WHEREAS**, proper application of microsurfacing materials has proven to be a cost effective means to prolong the service life of asphalt streets; and,

**WHEREAS**, bids to microsurface pavements identified by the City Engineer and Street Superintendent to be of appropriate age and condition for preventative maintenance employing microsurfacing materials were properly solicited; and,

**WHEREAS**, the lowest responsive and responsible bid was submitted by Roadway Services, Inc.;

**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 Roadway Services, Inc. to microsurface pavements at the locations and in conformity with the methods and materials specified by the solicitation at the base bid price of \$113,840.85.

**Section 2:** The Finance Director is authorized to pay the costs of the contract authorized by Section 1 from Line 403-901-5-2-980-874 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 ALL ACTIONS NECESSARY TO PROCEED WITH FINANCING AND CONSTRUCTION OF THE AUGLAIZE INTERCEPTOR SEWER REHABILITATION PROJECT AND DECLARING AN EMERGENCY

**WHEREAS**, Flood water inundation of the Auglaize Interceptor prevents the municipality from achieving compliance with the Clean Water Act; and,

**WHEREAS**, Ordinance 7713 authorized the engagement of Burgess & Niple, Inc. to design improvements to the Auglaize Interceptor; and,

**WHEREAS**, Acceptable terms have been negotiated for procurement of all easements necessary to construct, maintain and operate the improved sewer; and,

**WHEREAS**, Inland Waters Pollution Control, Inc., submitted the lowest responsive and responsible bid to construct the improvements; and,

**WHEREAS**, Funds allocated for payment of project costs were appropriated in reliance on anticipated receipt of a \$305,822.00 grant from the Ohio Public Works Commission and \$734,138 loan from the Ohio Water Development Authority;

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

**Section 1:** The City Administrator is designated as the City's agent for all purposes relating to the grant of funds by the Ohio Public Works Commission and loan of funds by the Ohio Water Development Authority to finance the Auglaize Interceptor Sewer Rehabilitation Project. In that capacity, the City Administrator is authorized to execute the "*Cooperative Agreement for Construction, Maintenance and Operation of State Water Project or Wastewater Project*" now on file in the office of the City Engineer and to make such additional disclosures to and agreements with the State of Ohio as may be requested by the State.

**Section 2:** The Mayor, City Administrator, City Finance Director and City Law Director, are authorized to take all actions within the scope of their respective duties deemed reasonably necessary or appropriate to:

- a. procure and record all easements pertaining to the work now on file in the office of the City Engineer;
- b. accept, receive, expend and document the use of funds granted for project purposes by the Ohio Public Works Commission;
- c. secure a loan from the Ohio Water Development Authority and accept, receive, expend and document the use of borrowed moneys for payment of eligible costs in accordance with the "*Cooperative Agreement for Construction, Maintenance and Operation of State Water Project or Wastewater Project*" or as otherwise directed by the Ohio Water Development Authority; and,
- d. upon confirmation of the availability of funds to be granted by the Ohio Public Works Commission and borrowed from the Ohio Water Development Authority, award a contract to Inland Waters Pollution Control, Inc., to install the Auglaize Interceptor Sewer Rehabilitation improvements in substantial conformity with the plans and specifications on file as Engineering Project No. 1521 and at the prices and on the terms of service established by the accepted bid.

**Section 3:** The Finance Director is authorized to pay all costs incurred pursuant to the authority of Sections 1 and 2 from 2016 budgetary line 589-017-5-2-977-100.

**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 health, safety or welfare of the community for the reason that this Ordinance must be promptly filed with the Ohio Water Development Authority to obtain timely consideration of the application for necessary funding. 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

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Mayor