

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 JULY 26, 2016
OPENING COMMENTS – 7:00 P.M.

COUNCIL HOURS
TUESDAY JULY 26, 2016
6:00 P.M. – 6:45 P.M.

PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE AMENDING SECTION 121.01 OF THE CODIFIED ORDINANCES.

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT FOR THE REPAIR OF DESIGNATED SIDEWALKS AND DECLARING AN EMERGENCY.

FIRST READING: AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF FEDERAL ASSISTANCE TO FIREFIGHTERS PROGRAM FUNDS AND AUTHORIZING THE PURCHASE OF 25 CARBON FIBER AIR CYLINDERS FROM FIRE SAFETY SERVICES.

FIRST READING: AN ORDINANCE AMENDING ORDINANCE NO. 7774 PASSED DECEMBER 22, 2015 TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF DEFIANCE, OHIO, DURING THE PERIOD OF JANUARY 1, 2016 THROUGH DECEMBER 31, 2016.

STUDY SESSION: NONE

LIAISON ASSIGNMENTS	TIME	DATE	AGENDA
♣SEWER: KRUTSCH	7:00 P.M.	Tuesday - JULY 2016	NO MEETING
♣STREETS & SIDEWALK: WAXLER	7:00 P.M.	Tuesday - JULY 2016	NO MEETING
♣UTILITIES, GAS & LIGHTS: ORZOLEK	7:00 P.M.	Tuesday - JULY 2016	NO MEETING
♣POLICE & FIRE: LUNDBERG	7:00 P.M.	Tuesday - JULY 2016	NO MEETING
♣TRAFFIC COMMISSION: LEONARD, Mayor, Cereghin, Tobias, Wilkins, Warner, Orzolek, Hancock, Krutsch	5:30 P.M.	2 nd Tuesday - JULY 2016	NO MEETING
♣FINANCE: ENGEL	7:00 P.M.	Tuesday - JULY 2016	NO MEETING
♣BUILDING AND LANDS: HANCOCK	7:00 P.M.	Tuesday - JULY 2016	NO MEETING
♣WATER: LUNDBERG	7:00 P.M.	Tuesday - JULY 2016	NO MEETING
♣ECONOMIC DEVELOPMENT: OBERLIN	7:00 P.M.	Tuesday - JULY 2016	NO MEETING,
♣COMMUNITY INTERACTION: OBERLIN	7:00 P.M.	Tuesday - JULY 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 AMENDING SECTION 121.01 OF THE CODIFIED ORDINANCES

WHEREAS, Revision of the Council Rules has reduced the number of regularly scheduled meetings and increased the likelihood that Special Meetings will be required to conduct business previously handled in regular meeting; and,

WHEREAS, Council finds that Codified Ordinance 121.01 should be amended to prevent payment of additional compensation to Members as an unintended consequence of the Rule revision;

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

Section 1: Section 121.01 of the Codified Ordinances is amended to provide (deleted text stricken):

121.01 MEETINGS.

In addition to regular meetings of Council, special meetings of Council may be called as provided in the City Charter, provided that notice to the news media, as to the time, place and purpose of the meeting, is given, as provided by law. ~~For attendance at each special meeting, each Councilperson and the Clerk of Council shall receive extra compensation in the amount of forty dollars (\$40.00).~~ If the Council President or any Council member has more than four unexcused absences from any regular, study or special meeting during any calendar year, there shall be deducted from his or her annual salary forty dollars (\$40.00) for each unexcused absence over four. (Ord. 4599. Passed 1-7-86.)

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 CITY ADMINISTRATOR TO CONTRACT FOR THE REPAIR OF DESIGNATED SIDEWALKS AND DECLARING AN EMERGENCY

WHEREAS, the City Administrator has identified 49 locations at which sidewalks have been uplifted and damaged by the growth of adjacent municipally-maintained trees; and,

WHEREAS, budgetary provision was made to repair or replace pavements in accordance with specifications prepared by the City Engineer; and,

WHEREAS, bids to perform the necessary work were properly solicited and Kiessling Construction submitted the lowest responsible and responsible proposal in the base amount of \$39,867.65;

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 Kiessling Construction to supply all labor, materials, equipment and fuel required to construct sidewalk improvements at all locations identified by and in accordance with the plans and specifications on file as City Engineering Project 1614 at the unit prices and on the terms and condition of service established by the accepted bid.

Section 2: The Finance Director is authorized to pay all sums becoming due in accordance with the authorized contract from Line 403-901-5-2-980-001 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 health, safety or welfare of the community for the reason that immediate commencement of the work is necessary to coordinate sidewalk repairs with previously authorized removal of trees. 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 ACCEPTANCE OF FEDERAL ASSISTANCE TO FIREFIGHTERS PROGRAM FUNDS AND AUTHORIZING THE PURCHASE OF 25 CARBON FIBER AIR CYLINDERS FROM FIRE SAFETY SERVICES

WHEREAS, application was made to the Federal Emergency Management Agency for an award of Assistance to Firefighters Program Funds to assist the City with anticipated costs to replace aging air tanks necessary to the safe operation of self contained breathing apparatus; and,

WHEREAS, the Federal Emergency Management Agency has awarded the City \$22,024.00 for the purchase of designated equipment from Fire Safety Services, Inc.; and,

WHEREAS, the total cost of the purchase will be \$23,125 necessitating a net expenditure of \$1,101.00 in local funds;

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

Section 1: The City Administrator, Finance Director and Fire Chief are authorized to take all action necessary or appropriate to accept the award of Assistance to Firefighters Program Funds to include, without limitation, the purchase of all equipment designated by the award from Fire Safety Services, Inc. without further bidding.

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 AMENDING ORDINANCE NO. 7774 PASSED
DECEMBER 22, 2015 TO MAKE APPROPRIATIONS FOR
CURRENT EXPENSES AND OTHER EXPENDITURES OF
THE CITY OF DEFIANCE, OHIO, DURING THE PERIOD OF
JANUARY 1, 2016 THROUGH DECEMBER 31, 2016.**

WHEREAS, the City Finance Director has determined that additional appropriations are necessary to provide for expenditures; and

WHEREAS, that in addition to approving the expenditure of all public funds, Council must approve the appropriation of all public funds;

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

Section 1: That, to provide for expenses of the City of Defiance, State of Ohio, during the period of January 1, 2016 through December 31, 2016, Ordinance No. 7774 is hereby amended by appropriation changes to the following accounts:

249-Probation Grant Fund		
Salary, Wages and Benefits	\$	26,225.00
Operating	\$	4,596.00
TOTAL - 249-Probation Grant Fund		\$ 30,821.00
707-Museum Trust Fund		
Salary, Wages and Benefits	\$	150.00
Operating	\$	1,325.00
TOTAL - 707-Museum Trust Fund		\$ 1,475.00
793-Fire Damage Repair/Removal Fund		
Operating	\$	26,653.77
TOTAL - 793-Fire Damage Repair/Removal Fund		\$ 26,653.77
GRAND TOTAL - ALL FUNDS		\$ 58,949.77

RECAPITULATION OF APPROPRIATIONS

249	Probation Grant Fund	\$	30,821.00
707	Museum Trust Fund	\$	1,475.00
793	Fire Damage Repair/Removal Fund	\$	26,653.77
GRAND TOTAL - ALL FUNDS			\$ 58,949.77

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

President of Council

Votes Approving Adoption: _____

Votes Opposing Adoption: _____

Attest: _____, Clerk

Approved: _____, 2016

Mayor