

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 AUGUST 2, 2016
OPENING COMMENTS – 7:00 P.M.

COUNCIL HOURS
TUESDAY AUGUST 2, 2016
6:00 P.M. – 6:45 P.M.

PUBLIC HEARING: NONE

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

FIRST READING: AN ORDINANCE AUTHORIZING IMPROVEMENTS TO THE FORT GROUNDS, FORT STREET AND WASHINGTON AVENUE.

FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT WITH BISSNUSS, INC. TO SUPPLY AND INSTALL A GAS FEED SYSTEM AT THE WATER POLLUTION CONTROL TREATMENT WORKS.

FIRST READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF CONCRETE AND DECLARING AN EMERGENCY.

STUDY SESSION: NONE

LIAISON ASSIGNMENTS	TIME	DATE	AGENDA
♣SEWER: KRUTSCH	7:00 P.M.	Tuesday - AUGUST 2016	NO MEETING
♣STREETS & SIDEWALK: WAXLER	7:00 P.M.	Tuesday - AUGUST 2016	NO MEETING
♣UTILITIES, GAS & LIGHTS: ORZOLEK	7:00 P.M.	Tuesday - AUGUST 2016	NO MEETING
♣POLICE & FIRE: LUNDBERG	7:00 P.M.	Tuesday - AUGUST 2016	NO MEETING
♣TRAFFIC COMMISSION: LEONARD, Mayor, Cereghin, Tobias, Wilkins, Warner, Orzolek, Hancock, Krutsch	5:30 P.M.	2 nd Tuesday - AUGUST 2016	NO MEETING
♣FINANCE: ENGEL	7:00 P.M.	Tuesday - AUGUST 2 2016	QUARTERLY UPDATE
♣BUILDING AND LANDS: HANCOCK	7:00 P.M.	Tuesday - AUGUST 2 2016	KINGSBURY CONCEPT
♣WATER: LUNDBERG	7:00 P.M.	Tuesday - AUGUST 2016	NO MEETING
♣ECONOMIC DEVELOPMENT: OBERLIN	7:00 P.M.	Tuesday - AUGUST 2016	NO MEETING,
♣COMMUNITY INTERACTION: OBERLIN	7:00 P.M.	Tuesday - AUGUST 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 IMPROVEMENTS TO THE FORT GROUNDS, FORT STREET AND WASHINGTON AVENUE

WHEREAS, Public amenities on and adjacent to the grounds of Fort Defiance and commonly known as the "Rotary Walkway" are deteriorating and in need of repair or replacement; and,

WHEREAS, the City Engineer has prepared plans and specifications for rehabilitation of deteriorated sidewalks, improvements to the retaining wall and installation of park benches, trash receptacles and other public amenities; and,

WHEREAS, The Defiance Chapter of Rotary International pledged \$25,000 to assist the City with anticipated costs to maintain and improve the "Rotary Walkway"; and,

WHEREAS, Price quotations to supply the necessary materials and perform the work in conformity with the Engineer's plans and specifications were solicited and McDonald's Design & Build, Inc. of Defiance, Ohio, 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 McDonald's Design & Build, Inc., to construct and install improvements conforming to the plans and specifications on file as Engineering Project 1618 on the terms of service established by the accepted price quotation.

Section 2: The Finance Director is authorized to pay the contract price of \$29,385.00 and any additional costs incurred in accordance with the authorized contract from line 403-901-5-2-990-894 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 BISSNUSS, INC.
TO SUPPLY AND INSTALL A GAS FEED SYSTEM AT THE WATER
POLLUTION CONTROL TREATMENT WORKS**

WHEREAS, The Water Pollution Control Treatment Works employs gaseous chlorine to disinfect waste water and gaseous sulfur dioxide to neutralize the injected chlorine; and,

WHEREAS, the feed system used to introduce both chlorine and sulfur dioxide to the treatment process is obsolete and can no longer be maintained due to the unavailability of replacement parts and components;

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 BissNuss, Inc. of Westlake, Ohio, to supply and install chlorinators and sulfonators conforming to the product specifications recited in the proposal dated July 15, 2016, and at the quoted price of \$41,050.

Section 2: The Finance Director is authorized to pay the approved purchase price from Line 590-540-5-2-980-880 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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF CONCRETE AND DECLARING AN EMERGENCY

WHEREAS, the City has traditionally composted autumn leaves on unimproved municipal lands; and,

WHEREAS, Environmental regulations now require that effluent from large scale composting of organic matter be collected and treated; and,

WHEREAS, regulatory compliance can most cost effectively be achieved by construction of a concrete pad on the grounds of the Water Pollution Control Plant with drainage to the treatment works; and,

WHEREAS, the proposed concrete pad will also provide a properly drained area for the conduct of training exercises by the Fire Department; and,

WHEREAS, designs and material specifications for the proposed improvement have been prepared by the City Engineer; and,

WHEREAS, the City Administrator has determined that the construction can be most cost effectively undertaken by city personnel; and,

WHEREAS, local ready-Mix suppliers were invited to submit proposals to supply 300 cubic yards of concrete conforming to the Engineer's specifications; and,

WHEREAS, Baker-Shindler Company of Defiance, Ohio, submitted the lowest cost proposal;

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 Baker Shindler Company to supply 300 cubic yards, more or less, of ready-mix concrete conforming to the material specifications approved by the City Engineer for use in the construction of a compost facility on the grounds of the Water Pollution Control treatment works in substantial conformity with the designs on file.

Section 2: The Finance Director is authorized to pay the approved purchase price of \$30,000 (\$100.00 per cubic yard) from Line 590-540-5-2-980-880 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 is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that immediate construction of the proposed facility is necessary to afford sufficient time for the concrete to cure prior to commencement of autumn leaf collections. 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