

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 SEPTEMBER 13, 2016
OPENING COMMENTS – 7:00 P.M.

COUNCIL HOURS
TUESDAY SEPTEMBER 13, 2016
6:00 P.M. – 6:45 P.M.

PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE APPROVING AND RATIFYING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DEFIANCE AND A.F.S.C.M.E LOCAL 2213 AND DECLARING AN EMERGENCY.

FIRST READING: AN ORDINANCE AUTHORIZING AN AWARD OF CONTRACT TO HELMS & SONS EXCAVATING, INC. AND DECLARING AN EMERGENCY.

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

FIRST READING: RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

STUDY SESSION: NONE

LIAISON ASSIGNMENTS	TIME	DATE	AGENDA
♣SEWER: KRUTSCH	7:00 P.M.	Tuesday - SEPTEMBER 2016	NO MEETING
♣STREETS & SIDEWALK: WAXLER	7:00 P.M.	Tuesday - SEPTEMBER 2016	NO MEETING
♣UTILITIES, GAS & LIGHTS: ORZOLEK	7:00 P.M.	Tuesday - SEPTEMBER 2016	NO MEETING
♣POLICE & FIRE: LUNDBERG	7:00 P.M.	Tuesday - SEPTEMBER 2016	NO MEETING
♣TRAFFIC COMMISSION: LEONARD , Mayor, Cereghin, Shafer, Wilkins, Warner, Orzolek, Hancock, Krutsch	5:30 P.M.	2 nd Tuesday - SEPTEMBER 2016	NO MEETING
♣FINANCE: ENGEL	7:00 P.M.	Tuesday - SEPTEMBER 2016	NO MEETING
♣BUILDING AND LANDS: HANCOCK	7:00 P.M.	Tuesday - SEPTEMBER 2016	NO MEETING
♣WATER: LUNDBERG	7:00 P.M.	Tuesday - SEPTEMBER 2016	NO MEETING
♣ECONOMIC DEVELOPMENT: OBERLIN	7:00 P.M.	Tuesday - SEPTEMBER 2016	NO MEETING,
♣COMMUNITY INTERACTION: OBERLIN	7:00 P.M.	Tuesday - SEPTEMBER 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 APPROVING AND RATIFYING A COLLECTIVE
BARGAINING AGREEMENT BETWEEN THE CITY OF DEFIANCE AND
A.F.S.C.M.E LOCAL 2213
AND DECLARING AN EMERGENCY

Be it Enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The Mayor, President of Council and all other appropriate officials and agents of the City are authorized to enter into and execute the proposed Collective Bargaining Agreement between the City and A.F.S.C.M.E. Local 2213 pertaining to the period August 1, 2016, to July 31, 2019, on the terms accepted by the A.F.S.C.M.E. Local 2213 membership on or about September 6, 2016.

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 or in Executive Session duly convened in accordance with law.

Section 3: This Ordinance is declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community for the reason that the existing contract between the City and A.F.S.C.M.E. Local 2213 expired on July 31, 2016, and timely approval and implementation of the agreement reached through negotiation is necessary to preserve labor relations and comply with the City's statutory duty to negotiate in good faith. 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.

President of Council

Passed: _____, 2016

Votes Approving Adoption: _____

Attest: _____, Clerk

Approved: _____, 2016

By: _____, Mayor

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING AN AWARD OF CONTRACT TO
HELMS & SONS EXCAVATING, INC. AND
DECLARING AN EMERGENCY**

WHEREAS, the Seneca Street sewer between Third and Hopkins Streets is in need of immediate replacement; and,

WHEREAS, adequate provision was made to perform the necessary work in the 2016 annual budget; and,

WHEREAS, bids were properly solicited to supply all labor, materials, fuel and equipment necessary to construct and install the improvements in accordance with designs and material specifications prepared by Poggemeyer Design Group and approved by the City Engineer; and,

WHEREAS, Helms & Sons Excavating, Inc., submitted the lowest responsive and responsible bid in the amount of \$106,217.25; and,

WHEREAS, redirection of Community Development Block Grant funds from the Revolving Loan Fund to assist the City with project costs has been approved and all necessary environmental clearances have been received;

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 Helms & Sons Excavating, Inc., to supply all labor, materials, fuel and equipment required to construct the Seneca Street Sewer in substantial conformity with the designs and material specifications on file as Engineering Project 1514 and at the price and on the terms and conditions of service established by the accepted bid.

Section 2: The Finance Director is authorized to pay the contract price and all other costs incurred in accordance with the contract authorized by Section 1 from Line 276-451-5-2-980-880 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 commencement of the work is necessary to assure completion of the work by November 30, 2016, as required to assure the availability of asphalt necessary to the placement of street pavements covering the excavation. 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 HISTORIAN TO SELL COINS AND CURRENCY DEACCESSIONED FROM THE ANDREW L. TUTTLE MEMORIAL MUSEUM BY PUBLIC AUCTION AND DECLARING AN EMERGENCY

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

WHEREAS, Chapter 165 of the Codified Ordinances empowers the museum advisory 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, LLC to be uniquely qualified to provide consultive services to the Museum and authorized the City Historian to enter into a continuing agreement with Numismatic Auctions, LLC relating to the consignment and sale of artifacts deaccessioned from the museum collection; and,

WHEREAS, the museum advisory board recently deaccessioned 371 items consisting of Asian coins and currency;

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

Section 1: The Asian coins and currency deaccessioned from the Andrew L. Tuttle Memorial Museum collection by the advisory board and more particularly described by the inventory compiled by Collections Curator Herman Dally dated July 20, 2016, and filed with the Clerk of Council, are declared to be municipal surplus.

Section 2: The City Historian is authorized to sell the surplus described by Section 1 at a public auction to be conducted in conformity with the terms of the consignment agreement authorized by Ordinance 7663.

Section 3: All proceeds of the sale authorized by Section 2 shall be deposited to the public sub-fund of the Endowed Donor Advised Fund established by Ordinance 7603.

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 3: This Ordinance is declared to be an emergency measure necessary to the welfare of the community for the reason that immediate confirmation of the municipality's consignment of coins is required to assure proper advertisement of the deaccessioned artifacts in advance of the scheduled sale 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

RESOLUTION NO. _____

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(City Council)
Revised Code, Secs. 5705.34, -.35.

The Council of the City of Defiance, Defiance County, Ohio met in

_____ session on the _____ day of _____, _____
(Regular or Special) Year

at the office of _____ with the following members present:

_____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, _____; and
Year

WHEREAS, The Budget Commission of Defiance County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Defiance, Defiance County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said County the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

**CERTIFICATE OF COPY
ORIGINAL ON FILE**

The State of Ohio, Defiance County, ss.

I, _____, Clerk of the Council of the City of Defiance within and for the County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original _____

now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, _____
Year

Clerk of Council

**Council of the City of
Defiance**
Defiance County, Ohio.

RESOLUTION
ACCEPTING THE AMOUNTS AND
RATES AS DETERMINED BY THE
BUDGET COMMISSION AND
AUTHORIZING THE NECESSARY
TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY AUDITOR.

Adopted _____,

Clerk

Filed _____,

County Auditor

By _____
Deputy