

ORDINANCE NO. 7608

AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO STRYKER POWER-LOAD COT FASTENER SYSTEMS, AMENDING THE 2014 ANNUAL BUDGET AND DECLARING AN EMERGENCY

WHEREAS, The use of hydraulic lifting systems to assist emergency medical personnel has been shown to significantly reduce the frequency and severity of occupational injuries and improve patient care; and,

WHEREAS, The Ohio Bureau of Workers' Compensation awarded the City a grant of \$40,000.00 to off-set approximately 75% of the cost to purchase and install Stryker Power-Load Cot Fastener Systems in two municipal ambulances;

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 Model 6390 Power-LOAD lifting cots and related accessories conforming to the product specifications detailed in the Stryker EMS proposal dated December 15, 2013, from Stryker Corporation at the quoted price of \$51,120.00 and to contract with Life Star Rescue, Inc. to perform all services required to install the same at the quoted price of \$1,947.00 per ambulance.

Section 2: The Finance Director is authorized to take all appropriate actions to receive \$40,000.00 awarded to the municipality by the Ohio Bureau of Workers' Compensation SafetyGRANTS Program, adjust the 2014 annual budget to reflect the receipt and appropriation of those moneys for expenditure through 2014 Budgetary Line 792-336-5-2-730-005 and pay all sums authorized for expenditure by Section 1 in the aggregate amount of \$55,014.00 from 2014 Budgetary Line 792-336-5-2-730-005.

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 moneys awarded to the municipality pursuant to Ohio Bureau of Workers' Compensation SafetyGRANTS application 00-9201 must be expended within 90 days to prevent forfeiture of the award necessitating that orders for the purchase and installation of the desired equipment be promptly placed. 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: April 15, 2014

Mike McCann
President of Council

Votes in Favor of Adoption: 6

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: April 15, 2014

Bob Armstrong
Mayor

Ordinance No. 7609

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH GERKEN PAVING, INC. FOR STREET IMPROVEMENTS

WHEREAS, The City Engineer employed objective rating criteria to identify the streets to be resurfaced in the administration of the annual pavement maintenance program; and,

WHEREAS, The Streets & Sidewalk Committee reviewed the Engineer's list of pavement segments to be resurfaced and recommended no additions or deletions; and,

WHEREAS, Gerken Paving, Inc., submitted the lowest responsive and responsible bid to perform the work;

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 Gerken Paving, Inc., to repair and resurface all pavement sections identified by the bid solicitation in substantial conformity with the designs and material specifications therein recited, at the prices and on the contractual terms and conditions established by the bid received and accepted on April 8, 2014.

Section 2: The Finance Director is authorized to pay all costs incurred in accordance with the authorized contract from Line 403-901-5-2-980-874 of the 2014 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: April 15 _____, 2014

Mike McCann _____
President of Council

Attest: Lisa Elders _____, Clerk

Approved: April 15 _____, 2014

Bob Armstrong _____
Mayor

Ordinance No. 7610

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE 500 TONS OF ICE CONTROL SALT

WHEREAS, The municipality maintains suitable facilities for the storage of 500 tons of ice control salt, draws salt from inventory as needed each winter and replenishes the amount consumed over the course of the next following summer; and,

WHEREAS, Exceptionally harsh weather conditions during the 2013-2014 winter season exhausted the inventory of ice control salt; and,

WHEREAS, Bids to supply ice control salt in the exceptional quantities required to replenish depleted inventories were properly solicited and Morton Salt, Inc. submitted the lowest responsive and responsible bid in the amount of \$54.17 per ton;

WHEREAS, the total cost to replace the depleted inventory 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., for summer delivery of 500 tons of ice control salt at a cost of \$54.17 per ton.

Section 2: The Finance Director is authorized to pay the aggregate purchase price of \$27,085.00 from 2014 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: April 15 _____, 2014

Mike McCann _____
President of Council

Attest: Lisa Elders _____, Clerk

Approved: April 15 _____, 2014

Bob Armstrong _____
Mayor

RESOLUTION No. 2468

A RESOLUTION DECLARING THE SERVICES TO BE PROVIDED TERRITORY PROPOSED FOR ANNEXATION, ESTABLISHING ZONING RESTRICTIONS PERTAINING THERETO AND DECLARING AN EMERGENCY

Whereas, Peter C. Masterson and others have filed a Petition seeking to annex 6.093 acres of land located in Section 27, Defiance Township, Defiance County, Ohio, to the City of Defiance; and,

Whereas, Revised Code Section 709.023(C) requires Council to adopt a Resolution declaring the services to be provided the territory upon annexation and file the same with the Board of County Commissioners within 20 days following the filing of the Petition;

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

Section 1: The City of Defiance consents to approval of the aforesaid Petition by the Board of County Commissioners and will maintain any street or road divided or segmented by the annexation.

Section 2: Lands described by the Petition will be provided all customary general governmental and utility services in the same manner and on the same terms and conditions as are applicable to the provision of like-kind services to other lands within the territorial boundaries of the municipality. In-City rates for water and sewer services furnished to existing consumers located within the territory will take effect on the first day of the first billing cycle beginning after the effective date of the annexation. Billing and payment dates previously established for each consumer will not be altered and charges accrued during the billing cycle in which the annexation takes effect will not be prorated to the date on which the annexation takes effect.

Section 3: In the event land within the annexation territory is accorded a municipal zoning designation that permits the land to be used in a manner that is clearly incompatible with the uses permitted by township zoning of adjacent lands, Council will provide for the establishment of a buffer conforming to the requirements of Ohio Revised Code Section 709.23(C) in the Ordinance establishing the municipal zoning district.

Section 4: It is found and determined that all legislative actions pertaining to the adoption of this Resolution and all deliberations that affected or influenced all such legislative acts, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 5: This Resolution is declared to be an emergency measure necessary to the preservation of the health, safety and welfare of the community for the reason that statutory law requires this Resolution to be promptly filed with the Board of County Commissioners. 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: April 15 _____, 2014

Mike McCann _____
President of Council

Votes Approving Adoption: 6 _____
Votes Opposing Adoption: 0 _____

Attest: Lisa Elders _____, Clerk

Approved: April 15 _____, 2014

Bob Armstrong _____
Mayor

RESOLUTION No. 2469

A RESOLUTION DECLARING THE SERVICES TO BE PROVIDED TERRITORY PROPOSED FOR ANNEXATION, ESTABLISHING ZONING RESTRICTIONS PERTAINING THERETO AND DECLARING AN EMERGENCY

Whereas, Stykemain Enterprises, LLC has filed a Petition seeking to annex 12.375 acres of land located in Section 18, Richland Township, Defiance County, Ohio, to the City of Defiance; and,

Whereas, Revised Code Section 709.023(C) requires Council to adopt a Resolution declaring the services to be provided the territory upon annexation and file the same with the Board of County Commissioners within 20 days following the filing of the Petition;

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

Section 1: The City of Defiance consents to approval of the aforesaid Petition by the Board of County Commissioners and will maintain any street or road divided or segmented by the annexation.

Section 2: Lands described by the Petition will be provided all customary general governmental and utility services in the same manner and on the same terms and conditions as are applicable to the provision of like-kind services to other lands within the territorial boundaries of the municipality. In-City rates for water and sewer services furnished to existing consumers located within the territory will take effect on the first day of the first billing cycle beginning after the effective date of the annexation. Billing and payment dates previously established for each consumer will not be altered and charges accrued during the billing cycle in which the annexation takes effect will not be prorated to the date on which the annexation takes effect.

Section 3: In the event land within the annexation territory is accorded a municipal zoning designation that permits the land to be used in a manner that is clearly incompatible with the uses permitted by township zoning of adjacent lands, Council will provide for the establishment of a buffer conforming to the requirements of Ohio Revised Code Section 709.23(C) in the Ordinance establishing the municipal zoning district.

Section 4: It is found and determined that all legislative actions pertaining to the adoption of this Resolution and all deliberations that affected or influenced all such legislative acts, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 5: This Resolution is declared to be an emergency measure necessary to the preservation of the health, safety and welfare of the community for the reason that statutory law requires this Resolution to be promptly filed with the Board of County Commissioners. 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: April 15 _____, 2014

Mike McCann _____
President of Council

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Bob Armstrong _____
Mayor