

ORDINANCE No. 7635

AN ORDINANCE SUBMITTING THE QUESTION OF AMENDMENT OF THE CHARTER OF THE CITY OF DEFIANCE, OHIO, TO THE ELECTORS AT THE NOVEMBER 4, 2014, GENERAL ELECTION AND DECLARING AN EMERGENCY

WHEREAS, The Charter Review Commission, has recommended that Article II, Sections 2.01 and 2.06, be amended to provide that candidates for City Council be nominated by petition and elected in a nonpartisan election and that Section 2.04 be amended to provide for nonpartisan appointment of replacements in the event of a vacancy on the Council; and,

WHEREAS, The Charter Review Commission has recommended that the question of adoption of the proposed amendments be presented to the Electors as a single ballot issue; and,

WHEREAS, Council finds that the Charter Review Commission was duly appointed in accordance with Section 1.07 of the Charter, that all deliberations of the Charter Review Commission were conducted in Public Session duly convened in accordance with law, 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; and,

WHEREAS, Council finds that amendments to the Charter of the City of Defiance, Ohio, proposed by the Charter Review Commission must be referred to the Electors;

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

Section 1: The City Council of the City of Defiance, Ohio, hereby directs the Board of Elections of Defiance County, Ohio, to submit the question of amendment of Sections 2.01, 2.04 and 2.06 of the Charter of the City of Defiance, Ohio, to the Electors of the City of Defiance, Ohio, at the General Election to be conducted November 4, 2014.

Section 2: The proposed Charter amendments, or a sufficient summary thereof, shall be placed on the ballot in such form as the Board of Elections may determine. The question of adoption shall be submitted to the Electors as a single ballot issue substantially as proposed by the Charter Review Commission. The City Law Director is authorized to approve the ballot form and consent to such changes in the form, substance or presentation of the ballot question as may be proposed, recommended or required by the Board of Elections or Secretary of State.

Section 3: The Clerk is directed to file a certified copy of this Ordinance and the text of each proposed Charter Amendment incorporated herein by reference with the Board of Elections before 4:00 o'clock P.M., August 6, 2014.

Section 4: This Ordinance is declared to be an emergency measure necessary to the welfare of the community for the reason that the questions to be submitted to the Electors on November 4, 2014, must be filed with the Board of Elections by 4:00 o'clock P.M., August 6, 2014, to comply with general laws pertaining to the conduct of elections. 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: July 1, 2014

Mike McCann
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: July 1, 2014

Bob Armstrong
Mayor

Ordinance No. 7636

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT FOR THE SEALING OF CRACKS IN STREET PAVEMENTS

WHEREAS, annual sealing of pavement cracks to minimize water intrusion and subsequent ice damage has proven to be a cost effective means to prolong the service life of asphalt pavements; and,

WHEREAS, the priority list for 2014 was established by the City Engineer and Street Superintendent and proposals were solicited to perform the necessary work; and,

WHEREAS, the lowest cost proposal was submitted by American Pavements, 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 American Pavements, Inc. to seal pavement cracks at the locations established by the priority schedule and in conformity with the methods and materials established by the solicitation at the quoted price of \$22,677.00.

Section 2: The Finance Director is authorized to pay the costs of the contract authorized by Section 1 from Line 402-901-5-2-980-008 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: July 1, 2014

Mike McCann
President of Council

Attest: Lisa Elders, Clerk

Approved: July 1, 2014

Bob Armstrong
Mayor