

ORDINANCE NO. 7811

AN ORDINANCE AWARDING A CONTRACT TO LANDMARK STRUCTURES I, L.P. AND DECLARING AN EMERGENCY

WHEREAS, the Greenler Street elevated water storage tower, erected in 1936, must be replaced due to age and condition; and,

WHEREAS, the Greenler Street and Diehl Park elevated water storage towers are of insufficient size to assure the availability of potable water in the event of a prolonged closure of the water treatment plant and,

WHEREAS, the elevation of the Greenler Street and Diehl Park water storage towers relative to the higher elevation of the Carpenter Road tower contributes to the formation of undesirable Trihalomethanes in potable water supplied by the municipality; and,

WHEREAS, the City purchased land adjacent to the Greenler Street water tower with intent to use the land as the site of an enlarged and elevated water storage tower to replace both the Greenler Street and Diehl Park towers and thereafter selected Stantec, Inc. to design and oversee construction of the replacement facility; and,

WHEREAS, the Ohio Public Works Commission has committed to loan the municipality \$2,468,000 at 0% interest to assist with costs to be incurred to construct the storage tower and demolish the Greenler Street and Diehl Park towers; and,

WHEREAS, bids to supply and install a water storage tower conforming to the specifications developed by Stantec, Inc. were properly solicited, the bids and bidders' qualifications were properly reviewed, and Landmark Structures I, L.P. was determined to be the lowest responsive and responsible bidder;

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 in the base amount of \$2,673,000 to Landmark Structures, I, L.P., to supply and install an elevated water storage tower conforming to the designs and material specifications recited in the solicitation, on the terms and conditions of service established by the accepted bid.

Section 2: The Finance Director is authorized to pay all sums becoming due in accordance with the contract authorized by Section 1 from Line 591-537-5-2-980-880 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 or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety and welfare of the community for the reason that the authorized contract must be immediately awarded to assure completion of construction within the time required by the terms of the interest subsidized financing granted by the Ohio Public Works Commission. 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 26, 2016

Michael Ketcham
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: April 26, 2016

Michael McCann
Mayor

Ordinance No. 7812

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONTRACT TO GOLIATH TREE AND LAWN SERVICE AND DECLARING AN EMERGENCY

WHEREAS, trees located on public lands and in public rights-of-way are regularly pruned or removed by the municipality to preserve the health of the urban forest and minimize hazards to adjacent properties and vehicular and pedestrian traffic; and,

WHEREAS, recent inspection undertaken with the assistance of the Ohio Department of Natural Resources, Division of Urban Forestry, has identified 45 trees requiring immediate removal and 5 trees in need of immediate pruning; and,

WHEREAS, a solicitation was made for proposals to perform the required tree services and Goliath Tree and Lawn Service submitted the lowest bid; and,

WHEREAS, all bids received exceeded \$15,000 necessitating that the work, customarily authorized by Resolution of the Board of Control, be authorized by Ordinance;

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 Goliath Tree and Lawn Service to prune or remove all trees identified by the bid solicitation for the 2016 Tree Contract A at the prices established by the accepted bid.

Section 2: The Finance Director is authorized to pay the contract price of \$17,075.00 and any incidental costs that may be incurred in accordance with the authorized contract from General Funds allocated to the Division of Parks & Recreation by 2016 Budgetary Line Item 101-751-5-2-941-001.

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 the trees to be removed or pruned present imminent risks to public safety. 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 26, 2016

Michael Ketcham
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: April 26, 2016

Michael McCann
Mayor

ORDINANCE NO. 7813

AN ORDINANCE AUTHORIZING THE PURCHASE OF A STRYKER POWER-PRO AMBULANCE COT AND RELATED LOADING AND FASTENING EQUIPMENT

WHEREAS, The use of powered 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, In 2014, the City received a grant from the Ohio Bureau of Workers' Compensation to encourage the municipality to install powered lifting cots and associated loading equipment on two of the City's three ambulances; and,

WHEREAS, The City undertook a comprehensive evaluation of the lifting equipment then available and selected products manufactured by Stryker EMS Equipment, Inc.; and,

WHEREAS, The City has contracted for the assembly of a new ambulance to replace the vehicle that was not up-graded with powered lifting equipment in 2014; and,

WHEREAS, The Fire Chief recommends that the new vehicle be fitted with a power assisted cot manufactured by Stryker EMS Equipment to maintain operational consistency with the equipment installed on the ambulances that were up-graded with financial assistance from the Ohio Bureau of Workers' Compensation;

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

Section 1: The City Administrator is authorized to purchase one Model 6506 Power-PRO Ambulance Cot and one Model 6390 Power-Load handling system conforming to the product specifications detailed in the Stryker EMS Equipment proposal dated April 6, 2016, from Stryker Corporation at the quoted price of \$38,970.86.

Section 2: The Finance Director is authorized to all costs incurred pursuant to the authority of Section 1 from Line 792-336-5-2-730-009 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: April 26 _____, 2016

Michael Ketcham _____
President of Council

Attest: Lisa Elders _____, Clerk

Approved: April 26 _____, 2016

Michael McCann _____
Mayor

RESOLUTION No. 2487

A RESOLUTION SUPPORTING THE DETERMINATION OF THE CITY ADMINISTRATOR TO SEEK ASSISTANCE FROM THE OHIO DEPARTMENT OF TRANSPORTATION

WHEREAS, The intersection of State Route 15 (Ottawa Avenue) with Cleveland Avenue is the 10th highest crash location in the five county planning region comprised of Defiance, Fulton, Henry, Paulding and Williams Counties; and,

WHEREAS, One in four collisions at the intersection results in personal injury to one or more occupants of the involved vehicles due to an extraordinarily high incidence of "angle" crashes; and,

WHEREAS, Low cost improvements installed by the City to reduce the frequency and severity of collisions at the intersection have proven to be inadequate; and,

WHEREAS, Establishment of manufacturing facilities by B & B Molded Products, Inc., and expansion of public school facilities by the Defiance City School District will aggravate the safety hazard by increasing vehicular, pedestrian and bicycle traffic through the intersection; and,

WHEREAS, Council further finds that the municipal government lacks the necessary financial resources to design and construct the required highway improvements without State assistance; and,

WHEREAS, The City Administrator has determined to seek financial and technical assistance from the Ohio Department of Transportation; and,

WHEREAS, The City Administrator has provided Council with conceptual drawings depicting proposals for improvement of State Route 15 that are worthy of further consideration; and,

WHEREAS, City officials convened a public meeting on March 31, 2016, for the sole purpose of soliciting public opinion regarding the need for improvements to State Route 15 and relative merit of design alternatives;

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

Section 1: Council expresses concurrence with the City Administrator's determination to make application to the Ohio Department of Transportation for assistance with the design and construction of improvements to State Route 15 in the vicinity of the intersection of Ottawa Avenue and Cleveland Avenue and does hereby endorse, ratify and confirm all actions heretofore taken by the City Administrator to secure such assistance. The City Administrator is authorized to take such future actions as may be necessary or appropriate to prepare and file formal applications for such assistance.

Section 2: It is found and determined that all legislative actions pertaining to the adoption of this Resolution 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 Resolution shall be effective on the earliest date permitted by law.

Passed: April 26, 2016

Michael Ketcham
President of Council

Attest: Lisa Elders, Clerk

Approved: April 26, 2016

Michael McCann
Mayor

RESOLUTION No. 2488

A RESOLUTION DESIGNATING MAUMEE VALLEY PLANNING ORGANIZATION AS THE CITY'S AGENT FOR OBTAINING FEDERAL FINANCIAL ASSISTANCE UNDER THE DISASTER RELIEF ACT OR OTHERWISE AVAILABLE FROM THE PRESIDENT'S DISASTER RELIEF FUND

WHEREAS, Maumee Valley Planning Organization prepared and filed an application for Federal Financial Assistance available through the Hazard Mitigation Grant Program ((HMGP) FEMA-DR 4002-OH) on behalf of the municipality; and,

WHEREAS, the initial Grant Application was approved and, by Resolution passed March 3, 2013, Maumee Valley Planning Organization was formally designated as the City's Agent for the administration of program funds; and,

WHEREAS, The Mayor has received notification that a request for additional funding presented by Maumee Valley Planning Organization on the City's behalf has been approved; and,

WHEREAS, pursuant to the aforesaid approval, up to \$621,567 in additional Federal funding and \$103,594 in additional State funding will be made available to assist the municipality with costs incurred to acquire up to 15 additional residential properties, 1 commercial structure and two vacant lots; and,

WHEREAS, It is necessary to designate an agent to provide the State of Ohio and Federal Emergency Management Agency with such assurances and agreements as are listed in and required by the Grant Agreement;

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

Section 1: All actions heretofore taken and all representations and assurances heretofore made or given by Maumee Valley Planning Organization in connection with the municipality's application for Hazard Mitigation Grant Program funds, ((HMGP) FEMA-4002-DR-OH) are ratified and confirmed.

Section 2: The Mayor is authorized to execute the "AMENDMENT TO NOTICE OF AWARD STATE FISCAL YEAR 2016, Hazard Mitigation Grant Program (HMGP) FEMA-DR-4002.13R-OH (CFDA#97.039)" on file in the Office of the Mayor and to deliver the executed agreement to the Ohio Department of Public Safety.

Section 3: Maumee Valley Planning Organization is hereby designated the City's Agent for administration of Federal Hazard Mitigation Grant Program funds and is authorized to provide the Ohio and Federal Emergency Management Agencies all assurances and agreements listed in or otherwise required by the Grant Agreement.

Section 4: It is found and determined that all legislative actions pertaining to the adoption of this Resolution 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 5: This Resolution shall be effective on the earliest date permitted by law.

Passed: April 26, 2016

Michael Ketcham
President of Council

Attest: Lisa Elders, Clerk

Approved: April 26, 2016

Michael McCann
Mayor