

Ordinance No. 7806

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE MAUMEE VALLEY SOUTH CHIP CONSORTIUM PARTNERSHIP AGREEMENT

WHEREAS, Ordinance No. 7623, passed May 27, 2014, authorized an agreement between the City of Defiance, Defiance County, Paulding County and Maumee Valley Planning Organization establishing the Maumee Valley South CHIP Consortium to consolidate activities previously undertaken by the city and counties with Federal funds allocated to the State of Ohio for distribution to local units of general government in furtherance of Federal purposes established by the Housing and Community Development Act of 1974 and Cranston-Gonzales National Affordable Housing Act of 1990; and,

WHEREAS, Council finds that Section 8 of the agreement should be amended to clarify the authority vested in Maumee Valley Planning Organization to manage and administer activities undertaken by the Maumee Valley South CHIP Consortium on behalf of the City of Defiance and its governmental partners;

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

Section 1: The City Administrator is authorized to execute the proposed amendment to the "Partnership Agreement Establishing the Maumee Valley South CHIP Consortium" now on file in the office of the City Law Director and to deliver executed copies of the same to all interested parties and State officials.

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: April 5, 2016

Michael Ketcham
President of Council

Attest: Lisa Elders, Clerk

Approved: April 5, 2016

Michael McCann
Mayor

Ordinance No. 7807

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH WARD CONSTRUCTION CO.

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, Ward Construction Co., 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 Ward Construction Co., 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 unit prices and on the contractual terms established by the bid received on March 22, 2016.

Section 2: The Finance Director is authorized to pay the base bid price of \$238,162.25 and all other costs incurred in accordance with the authorized contract from appropriated funds allocated for expenditure by Line 403-901-5-2-980-874 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 5 _____, 2016

Michael Ketcham _____
President of Council

Attest: Lisa Elders _____, Clerk

Approved: April 5 _____, 2016

Michael McCann _____
Mayor

ORDINANCE NO. 7808

AN ORDINANCE AUTHORIZING A CONTRACT WITH SWAGER COMMUNICATIONS, INC. AND DECLARING AN EMERGENCY

WHEREAS, the City of Defiance and Defiance County E-911 Communications Center maintain radio equipment on the Greenler Street water tower; and,

WHEREAS, efficient operation of the water distribution system requires that a larger elevated water storage tank be installed on municipal lands immediately adjacent to the existing Greenler Street water tower; and,

WHEREAS, the State of Ohio has agreed to finance construction of the enlarged water tower using funds appropriated for expenditure during the current biennium; and,

WHEREAS, construction of the enlarged water tower must begin on or about June 1, 2016, to assure completion of the work prior to expiration of the appropriation; and,

WHEREAS, construction of the enlarged water tower will obstruct radio transmissions to and from antennas mounted on the existing Greenler Street water tower necessitating that an antenna tower be erected to maintain radio communications that are essential to safe and efficient delivery of police, fire and emergency medical services; and,

WHEREAS, City officials solicited proposals to design, supply and install the required radio tower and Swager Communications, Inc., of Fremont, Indiana, was selected as the preferred vendor; and,

WHEREAS, City officials have negotiated an acceptable price for the needed design and construction services;

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 Swager Communications, Inc., to supply and install a communications tower conforming to the design and material specifications recited in the March 28, 2016, proposal and at the quoted price of \$106,670.00.

Section 2: The Finance Director is authorized to pay the purchase price and any additional costs that may be incurred in accordance with the authorized contract from appropriated Capital Improvement, Water Pollution Control and Water funds allocated for expenditure by Lines 403-901-52-850-006, 590-540-52-980-880 and 591-537-52-980-880 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 and safety of the community for the reason that construction of the antenna tower must begin immediately to assure completion of the work prior to commencement of construction of the adjacent water tower which must begin on or about June 1, 2016, to comply with State financing requirements. 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 5, 2016

Michael Ketcham
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: April 5, 2016

Michael McCann
Mayor

Ordinance No. 7809

AN ORDINANCE AUTHORIZING THE PURCHASE AND INSTALLATION OF A PAYROLL TIME KEEPING SYSTEM

WHEREAS, The Board of Control recommends the purchase of electronic clocks and use of appropriate software to automate the collection and reporting of employee attendance to reduce administrative costs and data entry errors associated with the preparation of biweekly payrolls; and,

WHEREAS, the Finance Director has evaluated competing payroll systems and recommends adoption of the automated timekeeping and payroll system offered by F&E Payment Pros of Northfield, Ohio; and,

WHEREAS, Council made adequate provision for the anticipated purchase and implementation of an automated timekeeping and payroll system in the 2016 annual budget;

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

Section 1: The City Administrator is authorized to purchase all electronic time clocks, software, hardware and implementation services described by F&E Payment Pros quotation #ky151007r1 at the prices and on the terms of service therein proposed.

Section 2: The Finance Director is authorized to pay the initial purchase price of \$21,775.00 from General, Police & Fire, Water and Water Pollution Control funds allocated to the purchase by 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 5 _____, 2016

Michael Ketcham _____
President of Council

Attest: Lisa Elders _____, Clerk

Approved: April 5 _____, 2016

Michael McCann _____
Mayor

RESOLUTION No. 2485

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

Whereas, Westrick Family Farm, LLC, Fort Winchester Investment Partners, LLC, Ohio Gas Company and ANR Pipeline Company have filed a Petition seeking to annex 71.207 acres of land located in Sections 7 and 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, providing for the maintenance of public roads segmented or divided by the annexation and providing for the establishment of appropriate buffers in the event municipal zoning of the territory permits uses that are incompatible with neighboring uses permitted by township zoning regulations;

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: Immediately upon annexation, all 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.

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 or in Executive 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 5, 2016

Michael Ketcham
President of Council

Votes Approving Adoption: 7
Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: April 5, 2016

Michael McCann
Mayor