

# Ordinance No. 7959

## AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE PLAYGROUND EQUIPMENT TO IMPROVE HOLGATE AVENUE PARK AND DECLARING AN EMERGENCY

WHEREAS, The Parks & Recreation Division submitted a 2018 budgetary request for appropriation of funds to improve Holgate Avenue Park by reconstruction of the shelter house and replacement of dated playground equipment; and,

WHEREAS, The City routinely procures playground equipment manufactured by GameTime through David Williams & Associates at prices established by the US Communities' governmental purchasing consortium; and,

WHEREAS, David Williams & Associates has informed City officials evaluating 2018 divisional budget requests that the playground equipment manufacturer has established a "2017 Playground Grant" program pursuant to which the City would be eligible for a matching fund grant equal to 60% of the established price of the desired playground equipment if the transaction is completed before November 15, 2017; and,

WHEREAS, Council finds that the proposed improvement of Holgate Avenue Park is budget worthy project and that use of unexpended 2017 appropriations in order to take advantage of the equipment manufacturer's grant program will significantly reduce project costs;

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 materials itemized by the GameTime c/o David Williams Associates' quotation dated November 6, 2017, and numbered 49170 now on file in the office of the City Administrator.

Section 2: The Finance Director is authorized to pay the net purchase price of \$26,983.28 from Line 403-901-5-2-978-050 of the 2017 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 the authorized purchase must be completed by November 15, 2017, to preserve the City's eligibility for the manufacturer's grant in the amount of \$14,272.00. 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: November 14, 2017

Michael Ketcham  
President of Council

Attest: Lisa Elders, Clerk

Approved: November 14, 2017

Michael McCann  
Mayor

# ORDINANCE NO. 7960

## AN ORDINANCE AUTHORIZING A CONTRACT WITH J & M EXCAVATING, INC., FOR THE CONSTRUCTION OF A CONCRETE PAD, RELOCATION OF TWO FUEL TANKS AND ASSOCIATED DISPENSING EQUIPMENT TO THE CONCRETE PAD AND DECLARING AN EMERGENCY

WHEREAS, Relocation of the Streets Division from 1601 Baltimore Road to 1441 Quality Drive requires that the municipal fuel depot be relocated from 1601 Baltimore Road to 1441 Quality Drive; and,

WHEREAS, Competitive proposals were solicited to construct necessary foundations and slabs and to dismantle the fuel storage tanks and dispensing equipment presently located at 1601 Baltimore Road and reinstall the same at 1441 Quality Drive; and,

WHEREAS, J & M Excavating, Inc., submitted the lowest cost proposal to perform the necessary 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 J. & M. Excavating, Inc., to supply all labor, materials, equipment and fuel required to perform all work detailed in the accepted proposal dated October 25, 2017, and at the proposed price of \$42,750.00.

Section 2: The Finance Director is authorized to pay all costs incurred in accordance with the contract authorized by Section 1 from lawfully available funds allocated for expenditure by Lines 204-446-5-2-963-004, 403-901-5-2-963-000 and 591-538-5-2-727-010 of the 2017 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 and safety of the community for the reason that immediate commencement of the authorized work is necessary to assure placement of all required concrete prior to the onset of winter construction conditions. 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: November 14, 2017

Michael Ketcham  
President of Council

Votes in Favor of Adoption: 6

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: November 14, 2017

Michael McCann  
Mayor

# Ordinance No. 7961

## AN ORDINANCE AUTHORIZING A CONTRACT WITH STRAWSER CONSTRUCTION, INC.

WHEREAS, The City Engineer has recommended use of mastic surface treatment to preserve and prolong the useful life of designated asphalt street pavements; and,

WHEREAS, A list of the surfaces deemed to be suitable for preservation using the technology was developed and competitive bids were solicited for performance of the desired work; and,

WHEREAS, Strawser Construction, Inc., of Dublin, Ohio, submitted the lowest responsive and responsible bid in the amount of \$109,256.50;

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 amount of \$109,256.50 to Strawser Construction, Inc., to furnish all labor, equipment, fuel and materials required to apply pavement mastic surface treatments to the streets identified by the solicitation and in accordance with the plans, specifications and general terms and conditions established by the accepted bid.

Section 2: The Finance Director is authorized to pay the contract price from the Street Resurfacing Fund, Line 403-901-5-2-980-874 of the 2017 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: November 14, 2017

Michael Ketcham  
President of Council

Attest: Lisa Elders, Clerk

Approved: November 14, 2017

Michael McCann  
Mayor

ORDINANCE No. 7962

**AN ORDINANCE AUTHORIZING MONTHLY TRANSFERS  
OF FUNDS FOR THE CITY OF DEFIANCE, OHIO FOR THE  
YEAR ENDING DECEMBER 31, 2017.**

**Whereas**, the Council of the City of Defiance has previously provided for the transfer of funds in the annual appropriation ordinance; and

**Whereas**, the City Finance Director has determined that it is necessary to transfer a portion of the appropriated funds each month in order to meet current expenses and other expenditures of the City:

**Now, therefore**, be it enacted by the Council of the City of Defiance, Defiance County, Ohio:

**Section 1:** That the following amounts shall be transferred for the month of November, 2017.

<u>FUND FROM</u>	<u>AMOUNT</u>	<u>FUND TO</u>
General Fund #101	\$ 335,416	Police & Fire Fund #201
General Fund #101	\$ 24,166	Police Pension Fund #732
General Fund #101	\$ 24,166	Fire Pension Fund #733
WPC Fund #590	\$ 39,033	General Fund #101
WPC Fund #590	\$ 20,833	Utilities Billing Office Fund #585
WTP Fund #591	\$ 34,183	General Fund #101
WTP Fund #591	\$ 20,833	Utilities Billing Office Fund #585
Refuse #596	\$ -	Utilities Billing Office Fund #585
Tax Redirection Fund #766	\$ 32,373.48	Special Assessment Debt Fund #852

**Section 2:** That the amounts necessary for transfer in the months of October, November and December, 2017, upon the further recommendation by the City Finance Director, will be considered during those months.

**Section 3:** It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and that all deliberations that resulted in such formal action being taken, including all deliberations conducted by Committees of the Council, were conducted in meetings open to the public duly convened in compliance with law.

**Section 4:** This Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Passed: November 14, 2017

Michael Ketcham  
President of Council

Votes Approving Adoption: 6

Votes Opposing Adoption: 0

Attest: Lisa Elders, Clerk

Approved: November 14, 2017

Michael McCann  
Mayor