

NOTICE OF PROCEEDINGS
City Council of the City of Defiance, Ohio
Charles D. Beard Council Chambers
City Hall, 631 Perry Street, Defiance, OH 43512

REGULAR MEETING OF COUNCIL
TUESDAY MAY 9, 2017
OPENING COMMENTS – 7:00 P.M.

PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL ESTATE LOCATED AT 620 BLAINE STREET

FIRST READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2017 CHEVROLET SILVERADO PICK-UP TRUCK FROM ESTLE CHEVROLET, APPROPRIATING MONEY FOR THAT PURPOSE AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE ICE CONTROL SALT

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH D.L. SMITH CONCRETE LLC TO INSTALL SIDEWALK IMPROVEMENTS

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH BRYAN EXCAVATING LLC TO INSTALL SEWAGE AND DRAINAGE FACILITIES WITHIN AND ADJACENT TO THE DAVIDSON STREET RIGHT OF WAY

STUDY SESSION: NONE

LIAISON ASSIGNMENTS	TIME	DATE	AGENDA
♣SEWER: KRUTSCH	7:00 P.M.	Tuesday - MAY 2017	NO MEETING
♣STREETS & SIDEWALK: WAXLER	7:00 P.M.	Tuesday - MAY 2017	NO MEETING
♣UTILITIES, GAS & LIGHTS: ORZOLEK	7:00 P.M.	Tuesday - MAY 2017	NO MEETING
♣POLICE & FIRE: LUNDBERG	7:00 P.M.	Tuesday - MAY 2017	NO MEETING
♣TRAFFIC COMMISSION: LEONARD , Mayor, Cereghin, Shafer, Wilkins, Warner, Orzolek, Hancock, Krutsch	5:30 P.M.	2 nd Tuesday - MAY 9 2017	TRAFFIC SPEED HUMP POLICY
♣FINANCE: ENGEL	7:00 P.M.	Tuesday - MAY 9 2017	FIRST QUATERLY UPDATE
♣BUILDING AND LANDS: HANCOCK	7:00 P.M.	Tuesday - MAY 2017	NO MEETING
♣WATER: LUNDBERG	7:00 P.M.	Tuesday - MAY 2017	NO MEETING
♣ECONOMIC DEVELOPMENT: PIERCE	7:00 P.M.	Tuesday - MAY 2017	NO MEETING,
♣COMMUNITY INTERACTION: PIERCE	7:00 P.M.	Tuesday - MAY 2017	NO MEETING
♣BOARD OF CONTROL MEETING: MAYOR , Leonard, Williams, Lehner	9:00 A.M.	Tuesdays and Thursdays	POSTED AT 631 PERRY STREET

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL ESTATE LOCATED AT 620 BLAINE STREET

WHEREAS, the building located at 620 Blaine Street is structurally unsound and should be demolished to protect public health and safety and to preserve neighboring real estate values; and,

WHEREAS, Community Development Block Grant money originally allocated to capitalization of the Industrial Revolving Loan Fund and subsequently reallocated for municipal expenditure in furtherance of the achievement of Federal objectives related to the elimination of blighted properties has been used to conduct a Phase 1 Environmental Review of the premises; and,

WHEREAS, The completed Phase 1 Environmental Review found no evidence of significant environmental contamination; and,

WHEREAS, Additional CDBG funds reallocated from the Industrial Revolving Loan Fund are available to off-set anticipated costs to inspect the premises for asbestos contamination, remove any asbestos found to exist and demolish the structure; and,

WHEREAS, The property owner has agreed to transfer marketable title to the real estate upon payment of a negotiated price of \$10,000 to facilitate municipal demolition of the structure and redevelopment of the land;

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

Section 1: The Mayor, City Administrator, Finance Director and Law Director are hereby authorized to take all appropriate actions to secure title to the real estate located at 920 Blaine Street, Defiance, Ohio, and in furtherance thereof, to pay \$10,000 to the owner of said lands as consideration for delivery of a deed conveying marketable title to the municipality and such sums as may be reasonably required to prepare and record all instruments of conveyance and insure the marketability of the title conveyed.

Section 2: The Finance Director is authorized to disburse all sums expended pursuant to the authority of Section 1 from lawfully appropriated and available Capital Improvement Funds allocated for expenditure through Line 403-901-52-963000 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 or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance shall be effective on the earliest date permitted by law.

Passed: _____, 2017

President of Council

Attest: _____, Clerk

Approved: _____, 2017

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF A 2017 CHEVROLET SILVERADO PICK-UP TRUCK FROM ESTLE CHEVROLET, APPROPRIATING MONEY FOR THAT PURPOSE AND DECLARING AN EMERGENCY

WHEREAS, Two pick-up trucks assigned for use by the City Engineering Division have been removed from service due to age and condition; and,

WHEREAS, Quotations were solicited and proposals received from local automobile dealers to supply one new 2-wheel drive pick-up truck suitable for use by the City Engineer from existing inventories and Estle Chevrolet submitted the lowest responsive and responsible proposal in the amount of \$22,255.89; and,

WHEREAS, Council, upon recommendation of the City Administrator and Board of Control, finds that purchase of the aforesaid vehicle at the price bid by Estle Chevrolet is less costly than purchase of an equivalent vehicle through the Ohio Department of Administrative Services after adjustment of the State Co-Operative Purchasing Program price to reflect additional costs reasonably expected to be incurred to secure delivery of the vehicle to Defiance;

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 2017 Chevrolet Silverado pick-up truck conforming to the specifications detailed in the April 10, 2017, proposal and at the proposed purchase price of \$22,255.89 including optional trailer hitch and bed liner.

Section 2: The Finance Director is authorized to pay the purchase price from appropriated funds allocated for expenditure by Line 403-901-5-2-630-000 of the 2017 annual budget and a supplemental appropriation in the amount of \$23,000 is hereby made to line 403-901-5-2-630-000 of the 2017 annual budget for that purpose.

Section 3: 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 vehicle to be purchased pursuant to the authority of this Ordinance is required for immediate use and all price quotations solicited were for delivery of a vehicle from existing inventories necessitating that the purchase transaction be closed immediately to assure that the selected vehicle will be available for delivery. 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: _____, 2017

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2017

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE ICE CONTROL SALT

WHEREAS, Quotes to supply 600 tons of ice control salt for use during the 2017-2018 winter season were properly solicited and Morton Salt, Inc., submitted the lowest responsive and responsible proposal in the amount of \$66.17 per ton;

WHEREAS, the total cost of 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., to supply 600 tons of ice control salt at the quoted price of \$66.17 per ton.

Section 2: The Finance Director is authorized to pay the purchase price of \$39,702.00 from 2017 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: _____, 2017

President of Council

Attest: _____, Clerk

Approved: _____, 2017

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH D. L. SMITH CONCRETE LLC TO INSTALL SIDEWALK IMPROVEMENTS

WHEREAS, The Americans with Disability Act and other provisions of Federal Law require the City to improve pedestrian access to public rights of way in accordance with the Transition Plan filed with the United States Department of Transportation, Federal Highway Administration; and,

WHEREAS, The City applied for and received a Community Development Block Grant in the amount of \$120,000 to partially off-set the cost to install sidewalk improvements scheduled for construction during calendar year 2017; and,

WHEREAS, Competitive bids were solicited to supply all labor, materials, equipment and fuel required to construct and install the required improvements in substantial conformity with the plans and specifications now on file in the office of the City Engineer as Project Number 1613; and,

WHEREAS, D.L Smith Concrete, LLC submitted the lowest responsive and responsible bid in an amount less than the Engineer's published estimate of anticipated costs;

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 D.L Smith Concrete, LLC to construct and install sidewalk improvements substantially conforming to the plans and specifications on file in the office of the City Engineer entitled, "Sidewalk Improvements CDBG ADA Access, 2017, Project Number 1613", and at the accepted bid price of \$173,957.00.

Section 2: The City Finance Director is authorized to pay all costs incurred pursuant to the authorized contract from moneys allocated for expenditure by Line 403-901-5-2-980-001 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: _____, 2017

President of Council

Attest: _____, Clerk

Approved: _____, 2017

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH BRYAN EXCAVATING LLC TO INSTALL SEWAGE AND DRAINAGE FACILITIES WITHIN AND ADJACENT TO THE DAVIDSON STREET RIGHT OF WAY

WHEREAS, Separation of the combined sewer within the Davidson Street right of way is necessary to achieve compliance with Federal and State environmental regulations; and,

WHEREAS, Ordinance 7904 accepted easements necessary to construction of the improvements that were graciously donated to the municipality by Napoleon Wash-N-Fill, Inc., Douglas Gerken and O. Leann Gerken; and,

WHEREAS, Competitive bids were solicited to supply all labor, materials, equipment and fuel required to construct and install sanitary sewage and storm water drainage improvements in substantial conformity with the plans and specifications now on file in the office of the City Engineer as Project Number 1511; and,

WHEREAS, Five proposals were submitted in response to the solicitation and Bryan Excavating, LLC submitted the lowest responsive and responsible bid;

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 Bryan Excavating, LLC to construct and install sewage and drainage improvements substantially conforming to the plans and specifications on file in the office of the City Engineer entitled, "Davidson Street Sanitary Sewer Separation Project, Project Number 1511", and at the accepted bid price of \$110,450.00.

Section 2: The City Finance Director is authorized to pay all costs incurred pursuant to the authorized contract from moneys allocated for expenditure by Line 589-014-5-2-977.100 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.

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President of Council

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Approved: _____, 2017

Mayor