

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 MARCH 27, 2018
OPENING COMMENTS – 7:00 P.M.

SPECIAL GUEST: NONE
PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT FOR PAVEMENT IMPROVEMENTS TO THE PARKING AREAS AT BRONSON PARK AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT FOR PAINTING AND OTHER REPAIR WORK TO THE BRONSON PARK BATHHOUSE AND RESTROOM

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONTRACT TO REPLACE THREE POLICE VEHICLES

FIRST READING: AN ORDINANCE ACCEPTING THE DEDICATION OF AN ADDITIONAL RIGHT-OF-WAY AT THE INTERSECTION OF EAST HIGH STREET AND EAST RIVER DRIVE AS PART OF THE EAST HIGH STREET IMPROVEMENT PROJECT

FIRST READING: AN ORDINANCE AWARDING A CONTRACT TO VTF EXCAVATION, LLC FOR THE EAST HIGH STREET RECONSTRUCTION AND IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AWARDING A CONTRACT TO HELMS & SONS EXCAVATING, INC. FOR THE COLLEGE PLACE RECONSTRUCTION AND IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY

CITIZEN CONCERNS: PLEASE STATE NAME & ADDRESS FOR THE RECORD
STUDY SESSION: NONE

LIAISON ASSIGNMENTS	TIME	DATE	AGENDA
♣ SEWER: LUNDBERG	7:00 P.M.	Tuesday - MARCH 2018	NO MEETING
♣ STREETS & SIDEWALK: HANCOCK	7:00 P.M.	Tuesday - TBA 2018	STREET REPAIRING PLAN
♣ UTILITIES, GAS & LIGHTS: PLANT	7:00 P.M.	Tuesday - MARCH 2018	NO MEETING
♣ POLICE & FIRE: WAXLER	7:00 P.M.	Tuesday - MARCH 2018	NO MEETING
♣ TRAFFIC COMMISSION: LEONARD, Mayor, Cereghin, Shafer, Wilkins, Warner, Waxler, Eureste, Krutsch	6:00 P.M.	Tuesday - MARCH 2018	NO MEETING
♣ FINANCE: LUNDBERG	7:00 P.M.	Tuesday - MARCH 2018	NO MEETING
♣ BUILDING AND LANDS: ENGEL	7:00 P.M.	Tuesday - MARCH 2018	NO MEETING
♣ WATER: KRUTSCH	7:00 P.M.	Tuesday - MARCH 2018	NO MEETING
♣ ECONOMIC DEVELOPMENT: EURESTE	7:00 P.M.	Tuesday - MARCH 2018	NO MEETING
♣ COMMUNITY INTERACTION:	7:00 P.M.	Tuesday - MARCH 2018	NO MEETING
♣ BOARD OF CONTROL MEETING: MAYOR, Leonard, Williams, Lehner	1:30 P.M. MONDAY 9:00 A.M. THURSDAY	MONDAY and THURSDAY	POSTED AT 631 PERRY STREET MEETINGS IN FRONT CONFERENCE ROOM

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT FOR PAVEMENT IMPROVEMENTS TO THE PARKING AREAS AT BRONSON PARK AND DECLARING AN EMERGENCY

WHEREAS, the City is in the process of constructing a Splash Park and various other recreational improvements in Bronson Park for the enjoyment and benefit of the residents of the City of Defiance; and,

WHEREAS, it is necessary to make pavement improvements to the parking areas of Bronson Park in anticipation of the additional activity at the Splash Park; and,

WHEREAS, the City solicited proposals to perform the work pursuant to the plans and specifications established for the project and Morlock Asphalt, Ltd. submitted the lowest *responsible* and responsive bid in the amount of \$106,834.14;

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 Morlock Asphalt, Ltd. to make improvements to the pavement in the parking areas in Bronson Park in the vicinity of the Splash Park in conformity with the plans and specifications established by the City and on file with the City Engineer at the quoted price of \$106,834.14.

Section 2: The Finance Director is authorized to pay the costs of the contract authorized by Section 1 from Line 403-901-5-2-978-061 of the 2018 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, or welfare of the community and to facilitate the execution of the contracts in time so the work can be started and completed prior to the opening of the Splash Park on the Memorial Day Weekend target date. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five (5) Members of Council and approval of the Mayor.

Passed: _____, 2018

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2018

Mayor

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT FOR PAINTING AND OTHER REPAIR WORK TO THE BRONSON PARK BATHHOUSE AND RESTROOM

WHEREAS, the City is in the process of constructing a Splash Park and various other recreational improvements in Bronson Park for the enjoyment and benefit of the residents of the City of Defiance; and,

WHEREAS, the Bronson Park bathhouse requires maintenance work, including interior and exterior painting, as well as an epoxy application to the floor, and the Bronson Park restroom requires maintenance, including exterior paint, so that both facilities are in proper condition for use by people enjoying the Splash Park and the other amenities located at Bronson Park; and,

WHEREAS, the City solicited proposals to perform the work outlined in the paragraph above and C.R. Hunt, Inc. submitted the lowest *responsible* and responsive bid in the amount of \$25,415.00;

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 C.R. Hunt, Inc. to complete the exterior and interior painting and epoxy application to the Bronson Park bathhouse and the Bronson Park restroom in conformity with the its proposal dated March 9, 2018 at the quoted price of \$25,415.00.

Section 2: The Finance Director is authorized to pay the costs of the contract authorized by Section 1 from Line 405-901-5-2-980880 of the 2018 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: _____, 2018 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2018 _____
Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO AWARD A CONTRACT TO REPLACE THREE POLICE VEHICLES

WHEREAS, a head-on collision in December 2017 that was of no fault of the Police Department totaled a police sedan; and,

WHEREAS, two Ford Explorers are scheduled for replacement and the 2018 annual budget has made provision for payment of anticipated cost of these vehicles as capital improvements; and,

WHEREAS, the City Police Department received bids from local automobile dealers on all three vehicle replacements and found offers to sell two (2) 2018 Ford Interceptors and one (1) 2018 Dodge Charger to be the lowest responsive and responsible bids to the published specifications;

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 for two (2) 2018 Ford Interceptors conforming to the specifications on file in the office of the City Administrator.

Section 2: The City Administrator is authorized to award a contract for one (1) 2018 Dodge Charger as a replacement for the totaled police sedan.

Section 3: The Finance Director is authorized to pay the total cost of the authorized contracts, including the costs of marking and equipping all three vehicles, in the amount of \$93,608.00 from 2018 budgetary line items 403-901-52-976.054 and 780-301-52-945.000.

Section 4: 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 5: This Ordinance shall be effective on the earliest date permitted by law.

Passed: _____, 2018

President of Council

Attest: _____, Clerk

Approved: _____, 2018

Mayor

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING THE DEDICATION OF AN ADDITIONAL RIGHT-OF-WAY AT THE INTERSECTION OF EAST HIGH STREET AND EAST RIVER DRIVE AS PART OF THE EAST HIGH STREET IMPROVEMENT PROJECT

WHEREAS, the City has hired Strand Associates to design the East High Street Improvement Project which includes geometric improvements to the Intersection of East High Street and East River Drive; and,

WHEREAS, it has been determined that these intersection improvements require additional right-of-way from Gregory L. Steyer from his parcel being part of Lot 1 in Eastern Heights Addition, in the City of Defiance, Defiance County, Ohio and Steyer has executed a Plat dedicating 0.009 acres of land from said property to the City of Defiance as right-of way for public use; and,

WHEREAS, the Planning Commission held a public hearing on March 19, 2018, for purposes of reviewing the dedication plat and approved the plat and recommended its approval to City Council; and

WHEREAS, it is necessary for City Council to accept the dedication of the additional right-of-way and approve the plat so that the improvements can be made and the project can continue.

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

Section 1: The dedication of lands described by the dedication plat executed by Gregory L. Steyer on March 19, 2018 is hereby accepted.

Section 2: The Clerk of the City Planning Commission and Clerk of Council are authorized to execute the aforesaid Plat approving the Plat and accepting the dedication of the lands in said Plat as a right-of-way for public use and the City Law Director is authorized to record said Plat in the office of the Defiance County Recorder.

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: _____, 2018 _____
President of Council

Votes in Favor of Adoption: _____
Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2018 _____
Mayor

ORDINANCE NO. _____

AN ORDINANCE AWARDING A CONTRACT TO VTF EXCAVATION, LLC FOR THE EAST HIGH STREET RECONSTRUCTION AND IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY

WHEREAS, the City needs to complete improvements to the East High Street corridor prior to the 2019 anticipated Clinton Street bridge replacement project; and,

WHEREAS, the City made application for and received \$325,000.00 in grant funding from the Ohio Public Works Commission (“OPWC”) for the waterline portion of the reconstruction project; and,

WHEREAS, this project is eligible for loan funds with a zero percent interest rate from the Water Pollution Control Loan Fund (“WPCLF”) administered by the Ohio Environmental Protection Agency (“OEPA”); and,

WHEREAS, the City solicited proposals to general contractors to lead the reconstruction project pursuant to the plans and specifications established for the project and VTF Excavation, LLC submitted the lowest responsible and responsive bid at \$2,996,096.95;

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

Section 1: The City Administrator is directed to enter into a contract with VTF Excavation, LLC to reconstruct East High Street and perform all of the improvements specified by the City and on file with the City Engineer at the quoted price of \$2,996,096.95, contingent upon receipt of OEPA WPCLF financing for the entire project.

Section 2: The City Administrator is further authorized to perform all necessary actions to secure OEPA WPCLF financing in an amount not to exceed the total cost of this project, including the execution of loan applications, promissory notes, and agreements.

Section 3: The Finance Director is authorized to pay the contract price of \$2,996,096.95 quoted in the lowest responsible and responsive bid received on March 13, 2018 from appropriated funds allocated by expenditure from Line 589-019-5-2-977.100 of the 2018 annual budget.

Section 4: 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 5: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that City Council desires to meet the OEPA WPCLF application deadline to obtain financing at a zero percent interest rate. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five (5) Members of Council and approval of the Mayor.

Passed: _____, 2018

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2018

Mayor

ORDINANCE NO. _____

AN ORDINANCE AWARDING A CONTRACT TO HELMS & SONS EXCAVATING, INC. FOR THE COLLEGE PLACE RECONSTRUCTION AND IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY

WHEREAS, the City needs to remove storm water connections from the sanitary sewer at College Place as part of the Long Term Control Plan; and,

WHEREAS, the Ohio Environmental Protection Agency (“OEPA”) administers a loan fund at a zero percent interest rate that would fund a complete reconstruction of College Place as part of the separation of the clean water connections from the sanitary sewer; and,

WHEREAS, the OEPA lists this reconstruction project as eligible for the Water Pollution Control Loan Fund (“WPCLF”) and will determine the final recipients of that loan in April 2018; and,

WHEREAS, the City solicited proposals to general contractors to lead the reconstruction project pursuant to the plans and specifications established for the project and Helms & Sons Excavating, Inc. submitted the lowest responsible and responsive bid at \$1,090,302.86;

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

Section 1: The City Administrator is directed to enter into a contract with Helms & Sons Excavating, Inc. to reconstruct College Place and perform all of the improvements specified by the City and on file with the City Engineer at the quoted price of \$1,090,302.86, contingent upon receipt of OEPA WPCLF financing for the entire project.

Section 2: The City Administrator is further authorized to perform all necessary actions to secure OEPA WPCLF financing in an amount not to exceed the total cost of this project, including the execution of loan applications, promissory notes, and agreements.

Section 3: The Finance Director is authorized to pay the contract price of \$1,090,302.86 quoted in the lowest responsible and responsive bid received on March 13, 2018 from appropriated funds allocated by expenditure from Line 589-011-5-2-977.100 of the 2018 annual budget.

Section 4: 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 5: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that City Council desires to meet the OEPA WPCLF application deadline to obtain financing at a zero percent interest rate. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five (5) Members of Council and approval of the Mayor.

Passed: _____, 2018

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2018

Mayor