

ORDINANCE NO. 8116

AN ORDINANCE AWARDING A PROFESSIONAL SERVICES CONTRACT FOR THE DESIGN OF THE EAST SIDE NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENTS AND DECLARING AN EMERGENCY

WHEREAS, Council authorized the acquisition of Lots 46-50 in the subdivision of lots between Ottawa Avenue and Karnes Road nka Karnes Avenue (Compo Park) in Ordinance No. 8096 on February 5, 2019; and,

WHEREAS, the above-referenced acquisition is part of a plan to revitalize the east side neighborhood; and,

WHEREAS, R.C. §§153.65-153.73 requires municipalities to solicit a statement of qualifications from professional services firms before awarding a professional design or a design-build contract; and,

WHEREAS, the City selected DGL Consulting Engineers, LLC for this design project after reviewing the statements of qualifications and conducting interviews with eight (8) separate engineering firms; and,

WHEREAS, the City Engineer reviewed the proposed contract from DGL Consulting Engineers, LLC that will provide a design for a scope of services and recommends adoption by Council for the contract amount of \$116,425.00; and,

WHEREAS, Council finds that the project supports the Infrastructure Pillar of the Defiance Community Strategic Plan, specifically transportation, safety, and connectivity;

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 professional services agreement with DGL Consulting Engineers, LLC for East Side Neighborhood Infrastructure Improvements Phase 1 Project No. 1901 according to the scope of services documentation on file with the City Engineer and at the quoted price of \$116,425.00.

Section 2: The Finance Director shall pay the contract price from Section 1 from appropriated funds allocated by expenditure from Line 403-901-5-2-980.874 of the 2019 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 for the reason that completion of design work must occur as soon as possible in order to begin construction in late 2019 or early 2020. Grant funding for the City is contingent upon timely commencement of this project. 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: April 2, 2019 David McMaster
President of Council

Votes in Favor of Adoption: 6
Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: April 2, 2019 Michael McCann
Mayor

ORDINANCE NO. 8117

AN ORDINANCE DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AN OTTAWA CORRIDOR IMPROVEMENTS GRANT AGREEMENT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES AND DECLARING AN EMERGENCY

WHEREAS, the 132nd Ohio General Assembly appropriated funds in the amount of \$150,000.00 for capital improvements for a park in the Ottawa Avenue Corridor in H.B. 529; and,

WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources ("ODNR"), administers these grants for public recreation and pedestrian improvements; and,

WHEREAS, the grant funding will provide for the construction of pedestrian cross-connections between Haig Street, Ottawa Avenue, and Blaine Street; and,

WHEREAS, Council finds that the project supported by this grant will improve pedestrian connectivity in the City;

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

Section 1: The City Administrator is hereby directed to execute the Capital Improvement Community Park, Recreation/Conservation Project Pass Through Grant Agreement on file in the office of the City Planner and identified as Project Number DEFI-003C.

Section 2: The City Administrator is further authorized to execute and deliver all contracts, agreements, program compliance covenants, and other documents as may be appropriate to secure grant funding from ODNR for this particular project beyond the agreement, itself.

Section 3: Council agrees to obligate the funds required to satisfactorily complete the proposed project in the amount of \$147,000.00 that the City receives from the grant program after ODNR retains \$3,000.00 for administrative costs.

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 the grant imposes a project completion deadline of June 30, 2020. 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: April 2 _____, 2019

David McMaster _____
President of Council

Votes in Favor of Adoption: 6

Votes Opposed to Adoption: 0

Attest: Lisa Elders _____, Clerk

Approved: April 2 _____, 2019

Michael McCann _____
Mayor

Ordinance No. 8118

AN ORDINANCE AUTHORIZING THE RENEWAL OF THE ELECTRIC AGGREGATION CERTIFICATION

WHEREAS, R.C. §4928.20(A) authorizes the legislative authority of a municipal corporation to adopt an ordinance that aggregates the retail electrical loads located, respectively, within the municipal corporation and enter into service agreements to facilitate for those loads the sale and purchase of electricity; and,

WHEREAS, the current electric governmental aggregation certification expires on June 21, 2019, necessitating renewal; and,

WHEREAS, Council established its intent to form an electric aggregation program in Ordinance No. 6148 on August 8, 2000; and,

WHEREAS, Council finds that maintaining the electric governmental aggregation certification supports the Infrastructure Pillar of the Defiance Community Strategic Plan by giving residents greater purchasing power for electrical utility service;

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

Section 1: The Law Director shall submit the Renewal Application for Electric Governmental Aggregators to the Public Utilities Commission of Ohio (“PUCO”) renewing the authority of the municipal government to act as a Certified Competitive Retail Electric Service Provider and shall prepare and file all ancillary documents deemed necessary or appropriate to secure renewal of the Certificate.

Section 2: The application authorized by Section 1 shall designate the Law Director as the authorized PUCO point of contact for all regulatory and emergency matters and all matters pertaining to the investigation of customer complaints.

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: April 2 _____, 2019 David McMaster _____
President of Council

Attest: Lisa Elders _____, Clerk

Approved: April 2 _____, 2019 Michael McCann _____
Mayor