

# Ordinance No. 8014

## AN ORDINANCE AUTHORIZING THE PURCHASE OF A NEW FREIGHTLINER M2 106 DUMP TRUCK FOR THE WATER DISTRIBUTION DEPARTMENT

**WHEREAS**, the City Water Distribution Department needs to replace its 1998 GMC Topkick tandem axle dump truck due to age and a difficulty in obtaining replacement parts; and,

**WHEREAS**, the 2018 budget included the purchase of a replacement vehicle; and,

**WHEREAS**, the City solicited proposals to acquire a new dump truck and Cleveland Freightliner of Parma, Ohio submitted the lowest *responsible* and responsive bid in the amount of \$109,170.00;

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

**Section 1:** The City Administrator is directed to purchase the Freightliner M2 106 Dump Truck in accordance with the proposal on file with the Water Distribution Department using Ohio Department of Administrative Services (“DAS”) contract number RS901518.

**Section 2:** The City Administrator, or his designee, is further directed to dispose of the existing 1998 GMC Topkick through a government services auction.

**Section 3:** The Finance Director is authorized to pay the costs of the contract authorized by Section 1 from Line 591.538.52945000 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 shall be effective on the earliest date permitted by law.

Passed: May 1 \_\_\_\_\_, 2018

David McMaster  
\_\_\_\_\_  
President of Council

Attest: Lisa Elders \_\_\_\_\_, Clerk

Approved: May 1 \_\_\_\_\_, 2018

Michael McCann  
\_\_\_\_\_  
Mayor

# ORDINANCE NO. 8015

## AN ORDINANCE AUTHORIZING A CONTRACT WITH THE MANNIK & SMITH GROUP, INC. FOR CONSTRUCTION MANAGEMENT AND OBSERVATION SERVICES

**WHEREAS**, the City plans to construct a roundabout at the intersection of Jefferson Avenue and Palmer Avenue; and,

**WHEREAS**, the City Engineer selected the Mannik & Smith Group, Inc. to monitor and inspect the quality and progress of the project at a cost not to exceed \$90,931.00; and,

**WHEREAS**, Council finds that the City will benefit from the oversight of a civil engineer on these projects; and,

**WHEREAS**, the City chose the Mannik & Smith Group, Inc. for this project based on the qualifications based selection process required under §153.65 of the Ohio Revised Code;

**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 the Mannik & Smith Group, Inc. to perform all tasks specified by the City and on file with the City Engineer at the price quoted above.

**Section 2:** The Finance Director is authorized to pay the contract amount of \$90,931.00 from Line 403-901-5-2-978.104 from appropriated funds allocated by expenditure in 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: May 1 \_\_\_\_\_, 2018      David McMaster  
President of Council

Attest: Lisa Elders \_\_\_\_\_, Clerk

Approved: May 1 \_\_\_\_\_, 2018      Michael McCann  
Mayor

# Ordinance No. 8016

## **AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE RAPID VIEW IBAK TELEVISION CAMERA TRUCK**

**WHEREAS**, operation and maintenance of the sewer system requires periodic inspection of underground facilities that the use of truck-mounted television equipment can accomplish efficiently; and,

**WHEREAS**, the use of the truck-mounted television equipment helps the City Water Pollution Control Department determine whether a sewage collection problem exists in the City-managed sanitary sewer or on private laterals and creates significant cost savings for the City; and,

**WHEREAS**, the City participated in the Ohio Department of Administrative Services, Cooperative Purchasing Program and received a quote in the amount of \$262,524.00 from Jack Doheny Companies; and,

**WHEREAS**, Council finds that the current equipment is outdated and the parts are increasingly difficult to replace at a reasonable cost;

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

**Section 1:** The City Administrator is directed to purchase one (1) Rapid View IBAK television truck conforming to the specifications on file in the office of the City Administrator at the price of \$262,524.00 from the quote submitted by Jack Doheny Companies.

**Section 2:** The Finance Director is directed to pay the purchase price and any incidental costs pursuant from appropriated and appropriately budgeted Water Pollution Control Funds, to include, without limitation, budgetary line item 590-540-52-730117.

**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: May 1, 2018

David McMaster  
President of Council

Attest: Lisa Elders, Clerk

Approved: May 1, 2018

Michael McCann  
Mayor

# Ordinance No. 8017

## AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

**WHEREAS**, Federal financial assistance to local governments through Community Development Block Grant (“CDBG”) funding is conditioned on the commitment by the recipient to take all reasonable steps to minimize the displacement of persons and families pursuant to 24 C.F.R. §570.606; and,

**WHEREAS**, the City routinely makes a commitment to provide the required relocation assistance in all legislation authorizing application to be made for federal CDBG assistance; and,

**WHEREAS**, the Anti-displacement and Relocation Assistance Plan is required to be reviewed and re-adopted at five-year intervals; and,

**WHEREAS**, the City last adopted the Anti-displacement and Relocation Assistance Plan in Ordinance No. 7509 on June 4, 2013;

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

**Section 1:** The Anti-displacement and Relocation Assistance Plan now on file in the office of the Mayor is hereby reapproved and re-adopted. The Mayor is directed to execute the Plan and Certification of Adoption and deliver the same to the Ohio Development Services Agency and such other federal and state agencies as may from time to time request the same.

**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 or in Executive Session duly convened in accordance with law.

**Section 3:** This Ordinance shall be effective on the earliest date permitted by law.

Passed: May 1, 2018      David McMaster  
President of Council

Attest: Lisa Elders, Clerk

Approved: May 1, 2018      Michael McCann  
Mayor

# Ordinance No. 8018

## AN ORDINANCE AUTHORIZING THE PURCHASE OF BRONZE PLAQUES FOR THE DEFIANCE FORT GROUNDS AND DECLARING AN EMERGENCY

**WHEREAS**, the Defiance County Commissioners awarded a grant to the Tuttle Museum to install thirteen (13) commercial bronze plaques on the Defiance Fort Grounds; and,

**WHEREAS**, the grant will fund the entire \$17,190.00 cost of the purchase from Homier's Monumental; and,

**WHEREAS**, this expenditure amount requires council approval under §151.02 of the Codified Ordinances of Defiance, Ohio;

**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 Homier's Monumental for the purchase of thirteen (13) commemorative plaques on behalf of the Andrew L. Tuttle Memorial Museum.

**Section 2:** The Finance Director is authorized to pay the contract price of \$17,190.00 from funds received by the Defiance County Community Historic Preservation Funds grant and allocated by expenditure from Line 704-873-52-980880 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 is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that receipt of the grant is conditioned on a project completion deadline of August 1, 2018. 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: May 1, 2018

David McMaster  
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: May 1, 2018

Michael McCann  
Mayor

# Ordinance No. 8019

## AN ORDINANCE AUTHORIZING A CONTRACT WITH ALL EXCAVATING AND DEMOLITION AND DECLARING AN EMERGENCY

**WHEREAS**, the City has received grant funds from the Federal Emergency Management Agency and supplemental grant funds from the Ohio Emergency Management Agency to acquire and demolish flood prone structures in furtherance of Federal Flood Hazard Mitigation Program objectives; and,

**WHEREAS**, the City has acquired lands located at 418 Auglaize Street and is obligated by the terms of the grant to demolish all structures located on those lands before June 1, 2018; and,

**WHEREAS**, the City solicited proposals to demolish the structures and dispose of the debris in accordance with all applicable Federal and State statutory and regulatory requirements and ALL Excavating and Demolition submitted the lowest priced proposal;

**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 ALL Excavating and Demolition to perform all services described by the solicitation on the terms of service established by the accepted proposal submitted for competitive review on or about April 13, 2018, and at the price of \$23,500.00.

**Section 2:** The Finance Director is authorized to pay all costs arising under the terms of the authorized contract from Federal Hazard Mitigation Grant Program (FEMA-4002-DR-OH) funds administered by Maumee Valley Planning Organization pursuant to Resolution 2443, passed March 5, 2013 and from Line 403-901-52-979111 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 for the reason that all work authorized by this Ordinance must be completed by June 1, 2018, to assure compliance with the terms and conditions of the Federal grant. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five Members of Council and approval of the Mayor.

Passed: May 1, 2018

David McMaster  
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: May 1, 2018

Michael McCann  
Mayor

# Ordinance No. 8020

## AN ORDINANCE CHANGING THE NAME OF THE RIGHT-OF-WAY IDENTIFIED AS TOWNSHIP ROAD 1137 TO “BOHLMANN STREET”

**WHEREAS**, James and Betty Lou Bohlmann are longtime residents and property owners of the City of Defiance; and,

**WHEREAS**, Council wishes to recognize them by renaming a street in their honor near the real property that they own; and,

**WHEREAS**, Section 723.04 of the Ohio Revised Code permits a municipal corporation to change the name of a street provided that it declare the name change *by ordinance*; and,

**WHEREAS**, Council, upon public hearing, finds that there is good cause for the change of name and that the name change would not be detrimental to the public interest; and,

**WHEREAS**, the right-of-way currently has a township road designation, but has no formal name;

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

**Section 1:** The 125' section of the right-of-way of Township Road 1137 (“T-1137”) off Indian Bridge Lane is hereby renamed “Bohlmann Street.”

**Section 2:** The City Administrator is authorized to take all measures necessary to effect the name change, including the installation of a street sign and notification to the Defiance County Engineer and to the Ohio Department of Transportation.

**Section 3:** The Law Director shall record a certified copy of this Ordinance in the official records of the Defiance County Recorder and shall pay any necessary recording fees.

**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: May 1 \_\_\_\_\_, 2018      David McMaster \_\_\_\_\_  
President of Council

Attest: Lisa Elders \_\_\_\_\_, Clerk

Approved: May 1 \_\_\_\_\_, 2018      Michael McCann \_\_\_\_\_  
Mayor

Resolution No. 2498

**A RESOLUTION ADOPTING THE DEFIANCE COMMUNITY STRATEGIC PLAN**

**WHEREAS**, City leadership met with community leaders from both inside and outside of the City to formulate a strategic plan for development and improvement; and

**WHEREAS**, the community members identified critical issues facing the community and proposed principals and strategies to solve them; and

**WHEREAS**, the strategic planning team members drafted six pillars to direct their focus; and

**WHEREAS**, Council finds that adherence to these principals and strategies will further City goals; and

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

**Section 1:** The attached Defiance Community Strategic Plan is hereby adopted as the framework to unite the community through learning, service, and culture.

**Section 2:** Council shall cause the Vision Statement and Mission Statement to be displayed in a prominent place in the Council Chambers.

**Section 3:** It is found and determined that all legislative actions pertaining to the adoption of this Resolution 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 Resolution shall be effective on the earliest date permitted by law.

Passed: May 1, 2018      David McMaster  
President of Council

Attest: Lisa Elders, Clerk

Approved: May 1, 2018      Michael McCann  
Mayor

## Resolution No. 2499

### A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR FUNDING FROM THE OHIO DEPARTMENT OF TRANSPORTATION THROUGH THE DEFIANCE COUNTY TRANSPORTATION IMPROVEMENT DISTRICT

**WHEREAS**, the Ohio Department of Transportation provides grant funding for local transportation projects through registered Transportation Improvement Districts ("TID"); and

**WHEREAS**, the Maumee Valley Planning Organization ("MVPO") assists the City with preparing TID grants; and

**WHEREAS**, construction of a single-lane roundabout conforming to the plans and specifications on file in the office of the City Engineer at the intersection of Jefferson Avenue and Palmer Avenue is necessary to improve traffic flow and pedestrian connectivity at that intersection; and

**WHEREAS**, the Ohio Public Works Commission has committed \$325,000.00 in grant funding towards the cost of the project; and

**WHEREAS**, additional financial assistance may be available through an Ohio Department of Transportation TID grant at up to twenty-five percent (25%) of the cost of the project;

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

**Section 1:** Council declares its support for the City Administrator, with the assistance of MVPO, to make application for a TID grant for the Jefferson Avenue/Palmer Avenue single-lane roundabout construction project conforming to the plans and specifications on file in the office of the City Engineer.

**Section 2:** The City Administrator is authorized to execute and deliver all contracts, agreements, program compliance covenants, and other documents as may be appropriate to secure such grant funding from the Ohio Department of Transportation.

**Section 3:** It is found and determined that all legislative actions pertaining to the adoption of this Resolution 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 Resolution shall be effective on the earliest date permitted by law.

Passed: May 1 \_\_\_\_\_, 2018      David McMaster \_\_\_\_\_  
President of Council

Attest: Lisa Elders \_\_\_\_\_, Clerk

Approved: May 1 \_\_\_\_\_, 2018      Michael McCann \_\_\_\_\_  
Mayor