

**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 1, 2018  
OPENING COMMENTS – 7:00 P.M.

**SPECIAL GUEST: NONE**  
**PUBLIC HEARING: NONE**

**THIRD READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF A NEW FREIGHTLINER M2 106 DUMP TRUCK FOR THE WATER DISTRIBUTION DEPARTMENT**

**SECOND READING: AN ORDINANCE AMENDING RULE 8 OF THE CITY COUNCIL RULES OF CONDUCT AND PROCEDURE**

**SECOND READING: A RESOLUTION ADOPTING THE DEFIANCE COMMUNITY STRATEGIC PLAN**

**FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT WITH MANNIK & SMITH GROUP, INC. FOR CONSTRUCTION MANAGEMENT AND OBSERVATION SERVICES**

**FIRST READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE RAPID VIEW IBAK TELEVISION CAMERA TRUCK**

**FIRST READING: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

**FIRST READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF BRONZE PLAQUES FOR THE DEFIANCE FORT GROUNDS AND DECLARING AN EMERGENCY**

**FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT WITH ALL EXCAVATING AND DEMLOITION AND DECLARING AN EMERGENCY**

**FIRST READING: AN ORDINANCE CHANGING THE NAME OF THE RIGHT-OF-WAY IDENTIFIED AS TOWNSHIP ROAD 1137 TO "BOHLMANN STREET"**

**FIRST READING: A RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR FUNDING FROM THE OHIO DEPARTMENT OF TRANSPORTATION THROUGH THE DEFIANCE COUNTY TRANSPORTATION IMPROVEMENT DISTRICT**

**CITIZEN CONCERNS: MIKE SIMON AND BURDETTE COOPER PENDING COUNCIL APPROVAL**

**STUDY SESSION: NONE**

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

# Ordinance No. \_\_\_\_\_

## 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: \_\_\_\_\_, 2018 \_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2018 \_\_\_\_\_  
Mayor

# Ordinance No. \_\_\_\_\_

## AN ORDINANCE AMENDING RULE 8 OF THE CITY COUNCIL RULES OF CONDUCT AND PROCEDURE

**WHEREAS**, Council conducted a general study of Council Rules of Conduct and Procedure in open session; and,

**WHEREAS**, Council finds it necessary to amend the Rules on subject matter liaisons in order to facilitate more input from Members of Council and the public; and,

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

**Section 1:** Rule 8 of the Rules of Conduct and Procedure is hereby amended to provide (deleted text ~~stricken~~, newly added text underlined):

### ~~Rule 8: SUBJECT MATTER SPECIALIZATION~~

~~To facilitate an equitable allocation of duties and responsibilities among Members of Council and to promote development of specialized expertise within the Council, the President of Council shall designate one Member to oversee legislative activities with respect to each of the following areas of recurrent activity:~~

- ~~1. City Buildings, Lands and Properties: Matters pertaining to the acquisition, utilization, maintenance and disposal of municipally owned real estate other than: public rights-of-way; lands primarily devoted to use by the Divisions of Streets, Water or Water Pollution Control; landfill sites and public parking facilities.~~
- ~~2. Finance and Budget: Matters pertaining to taxation and the budgeting of general revenues derived from taxation, fees, service charges, grants and loans other than: revenues derived from or devoted to operation of the Divisions of Streets, Water and Water Pollution Control and revenues derived from solid waste management activities.~~
- ~~3. Fire and Police: Matters pertaining to the personnel and equipment requirements of the Police and Fire Divisions and general laws, regulatory requirements, contracts, intergovernmental agreements and grants pertaining to the provision of Police, Fire, and Emergency Rescue services.~~
- ~~4. Gas, Lights and Public Utilities: Matters pertaining to the construction, maintenance and use of municipal facilities operated for, and regulation of commercial enterprises engaged in, the distribution of natural gas and electricity and provision of telephone and cable television services to inhabitants of the City and all matters relating to general laws, regulatory requirements and municipal contracts pertaining to the collection, treatment, recycling and disposal of solid wastes including intergovernmental relationships relating to ownership and control of land fill sites.~~
- ~~5. Sewers and Sanitation: Matters pertaining to the collection, treatment and disposal of sewage, industrial waste waters and storm water run-off including: the personnel requirements of and acquisition, utilization, maintenance and disposal of lands and equipment by the Water Pollution Control Division; budgeting of revenues derived from operation of the Water Pollution Control Division; general laws and regulatory requirements pertaining to the collection, treatment and disposal of storm water, sewage and other waste waters; and intergovernmental contracts, agreements, grants and loans affecting the operations and facilities of the Water Pollution Control Division.~~
- ~~6. Streets and Sidewalks: Matters pertaining to the acceptance, construction, extension, utilization, maintenance and vacation of streets, sidewalks, alleys, public parking facilities and other municipal lands primarily devoted to pedestrian or vehicular traffic; personnel and equipment requirements of the Division of Streets; budgeting of permissive tax and other highway revenues; general laws and regulatory requirements affecting the construction, maintenance and use of public transportation facilities and intergovernmental grant and loan programs providing financial assistance with costs incurred to maintain or improve highways, streets and other transportation facilities.~~
- ~~7. Water Works and Service: Matters pertaining to the treatment and distribution of potable water including the personnel requirements of and utilization, maintenance, acquisition and disposal of lands and equipment by the Water Division; budgeting of revenues derived from operation of the Water Division; general laws and regulatory requirements pertaining to the purification and distribution of potable water; and intergovernmental contracts, agreements, grants and loans affecting the operations and facilities of the Water Division.~~

~~8. Economic Development: Matters pertaining to the allowance of tax incentives to include, without limitation, legislative approval of proposed Enterprise Zone Agreements and the creation, enlargement, modification and termination of Community Reinvestment Areas; construction, enlargement or extension of water, sewer, street and other public infrastructure for the purpose of facilitating the creation of employment opportunities within the City; annexation of territory for the purpose of creating employment opportunities within the City; creation, termination and modification of intergovernmental agreements pertaining to the encouragement of industrial, commercial and residential development including, without limitation, the coordination of municipal economic development efforts with those of the Defiance County Economic Development Office, Defiance County Community Improvement Corporation, Defiance Area Chamber of Commerce, Defiance Development and Visitor's Bureau and Ohio Development Services Agency.~~

~~9. Public Relations: Matters relating to the establishment and use of social media and other forms of communication between Council and the public including the establishment and enforcement of policies to assure compliance with general laws pertaining to the preservation of public records created or received by use of municipal facilities to facilitate communication between the Council or individual Members of Council and citizens.~~

~~Each Member of Council shall serve in one such capacity and no Member shall be assigned to more than two. Before January 31 of each year following a year in which Municipal elections are held, the President shall propose the assignment of one Member to each area of specialized responsibility. The President shall consider all relevant factors including:~~

- ~~1. The expressed interest of Members of Council in the subjects of primary concern;~~
- ~~2. The experience of each Member; and,~~
- ~~3. The need to equalize the distribution of the work of Council among its Members.~~

~~The President's proposed assignments shall be submitted to Council at the first Regular Meeting following preparation of the proposal by the President. Unless disapproved by a majority of Council, expressed by Roll Call Vote upon a Motion to reject the President's proposal, the assignments shall be confirmed and shall remain in effect for the balance of the bi-annual legislative session unless sooner amended by Council. In the event a majority of Council affirmatively disapproves the President's proposal, the President shall submit an alternative proposal at each succeeding Regular Meeting of Council until a proposal is accepted by Council.~~

~~The Member designated with respect to each area of specialized interest shall serve as the primary liaison between Council and Administrative officers and between Council and the Public with respect to matters relating to that subject. The Member shall investigate complaints and concerns brought to Council's attention and evaluate proposals made by Administrative officers or the public pertaining to the establishment, modification or termination of existing programs or Divisional operations. The designated Member shall periodically report to Council regarding status of matters within the area of specialized interest to which he or she has been assigned and may request a Study Session be convened to permit consideration of such matters by Council.~~

#### Rule 8: SUBJECT MATTER SPECIALIZATION

##### Rule 8.1: Standing Committees

The following standing Committees of Council are established to make inquiry into the areas of legislative concern assigned to each Committee:

- A. City Buildings, Lands and Properties: Matters pertaining to the utilization, maintenance, acquisition and disposal of municipally owned real estate except lands utilized by the Divisions of Water and Water Pollution Control, land fill sites, and lands devoted primarily to facilities for pedestrian and vehicular travel or parking.
- B. Finance and Budget: Matters pertaining to taxation and budgeting of municipal revenues derived from general taxation, grants, loans and other sources except sewer and water use charges and grants, loans and other revenues derived from or devoted exclusively to the operations of the Water and Water Pollution Control Divisions.
- C. Fire and Police: Matters pertaining to the personnel requirements of and the utilization, maintenance, acquisition, and disposal of equipment by the Police and Fire Divisions and intergovernmental contracts, agreements, grants and general laws affecting the performance of Police, Fire, and Emergency Rescue services.
- D. Gas, Lights and Public Utilities: Matters pertaining to the construction, maintenance and use of facilities for, or regulating commercial enterprises engaged in, the generation and distribution of natural gas and electricity or the provision of telephone and cable television services to inhabitants of the City and to the Municipal government; contracts involving the collection and disposal of garbage and refuse within the City; City-County relationships regarding

ownership and control of land fill sites; and inquiries into intergovernmental contracts, agreements, grants and general laws affecting the collection, treatment and disposal of garbage and refuse and other solid wastes.

- E. Sewers and Sanitation: Matters pertaining to the collection, treatment and disposal of sewage including the personnel requirements of and utilization, maintenance, acquisition and disposal of lands and equipment by the Water Pollution Control Division; budgeting of revenues charged by or received for the operation of the Water Pollution Control Division; and inquiries into intergovernmental contracts, agreements, grants, and general laws affecting the collection, treatment, and disposal of sewage.
- F. Streets and Sidewalks: Matters pertaining to the utilization, vacation, maintenance, extension, and improvement of streets, sidewalks, alleys, parking lots, and other municipal resources devoted to pedestrian and vehicular travel or parking and intergovernmental contracts, agreements, grants, and general laws affecting the construction, maintenance, and use of such public facilities.
- G. Water Works and Service: Matters pertaining to the treatment and distribution of potable water including the personnel requirements of and utilization, maintenance, acquisition, and disposal of lands and equipment by the Water Division; budgeting of revenues charged by or received for the operation of the Water Division; and intergovernmental contracts, agreements, grants, and general laws affecting the treatment and distribution of water.
- H. Economic Development: Matters pertaining to the allowance of tax incentives to include, without limitation: legislative approval of proposed Enterprise Zone Agreements and the creation, enlargement, modification of, or termination of Community Reinvestment Areas; construction, enlargement, or extension of water, sewer, street, and other public infrastructure for the purpose of facilitating industrial, distribution, research and development, commercial, retail, or residential development; annexation of additional territory for the purpose of facilitating industrial, distribution, research and development, commercial, retail, or residential development; creation, termination, or modification of joint economic development districts; intergovernmental affairs pertaining to the encouragement of industrial, distribution, research and development, commercial, retail, or residential development.
- I. Public Relations: Matters relating to the establishment and use of social media and other forms of communication between Council and the public including the establishment and enforcement of policies to assure compliance with general laws pertaining to the preservation of public records created or received by use of municipal facilities for communication between Council and individual Members of Council and citizens.

#### Rule 8.2: Temporary Committees

Council may, from time to time, establish a committee to investigate any matter over which Council has investigative authority or to consider any legislation that, in the opinion of a majority of the Members, requires special expertise. Such committee shall be established by Motion approved by a Majority of Council. Proceedings shall be conducted in accordance with all rules generally pertaining to the conduct of Committees of Council.

#### Rule 8.3: Appointments to Committees

##### Rule 8.3(A): Composition of Committees

Three (3) Members of Council shall be appointed to each standing Committee, at least (1) one of whom shall be elected by Ward and one (1) of whom shall be elected At-Large. One (1) Member assigned to each Committee shall be designated to Chair proceedings of the Committee. No Member shall Chair the same Committee for more than four (4) consecutive years nor serve on the same Committee for more than six (6) consecutive years.

##### Rule 8.3(B): Duties to Serve on Committees

Each Member of Council shall serve on not less than two (2) Committees. No Member shall serve on more than four (4) Committees. Each Member of Council shall be designated the Chairperson of at least one (1) Committee. No Member shall chair more than three (3) Committees.

##### Rule 8.3(C): Assignment of Members to Committees

The Economic Development Committee shall consist of the Chairperson of the Finance, Sewer & Sanitation, and Water Works & Service Committees. Before January 31 of each year following a year in which Municipal elections are held, the President shall propose a Schedule of Regular Committee Meetings together with a proposal for the composition of each Committee other than the Economic Development Committee. In proposing the assignment of individual Members to Committees the President shall consider all relevant factors including:

1. The expressed interest of Members of Council in the subjects of primary concern to each Committee;

2. The experience of each Member including prior Committee service;
3. The need to equalize the distribution of the work of Council among its Members;
4. The need to assign Members to Committees which do not have conflicting meeting schedules.

The President's proposed Committee assignments and meeting times shall be submitted to Council at the first Regular Meeting following preparation of the proposal by the President. Unless disapproved by a majority of Council, expressed by Roll Call Vote upon a Motion to reject the President's proposal, the Committee assignments and Schedule of Regular Committee Meetings shall be posted and distributed in accordance with Rule 8 and shall remain in effect for the balance of the bi-annual legislative session unless sooner amended by Council. In the event a majority of Council affirmatively disapproves the President's proposal, the President shall submit an alternative proposal at each succeeding Regular Meeting of Council until a proposal is accepted by Council.

#### Rule 8.4: Powers and Functions of Committees

##### Rule 8.4(A): Investigatory Powers of Committees

Within the areas of responsibility assigned by Rule 8.1, each standing Committee shall have the authority to exercise the powers vested in Council by Paragraphs 5, 6, 7, 8 and 9, of Section 2.12 of the Charter of the City of Defiance.

##### Rule 8.4(B): Required Functions of Committees

Committees shall make appropriate inquiries and informed recommendations to Council regarding the adoption, rejection, or amendment of pending legislation and regarding proposals for the introduction of new legislation when requested to do so by Council.

##### Rule 8.4(C): Permitted Functions of Committees

Each Committee may, on its own initiative or at the request of the Mayor, make such inquiries into the functioning of Municipal Departments and Divisions as it deems necessary to the discharge of its responsibilities and may introduce such legislative proposals to Council as it deems appropriate based upon the conclusions drawn from such inquiries.

##### Rule 8.4(D): Limitations of Committee Authority

The function of each Committee is to permit study of matters of legislative concern by Members of Council interested and experienced in the subjects entrusted to the Committee. Committees may authorize the Law Director to prepare appropriate legislation for introduction to Council and may make recommendations to Council regarding the approval, amendment, or rejection of any legislation pending before Council. However, no Bill shall be amended in Committee.

#### Rule 8.5: Conduct of Committee Meetings

##### Rule 8.5(A): Quorum Requirement

Two Members of a Committee shall constitute a quorum for the transaction of business, provided, however, that no meeting of a Committee shall be conducted in the absence of the Member designated to Chair the Committee without the express consent of the Committee Chair. In the event the members of a Committee conduct a meeting in the absence of the Chair and with the approval of the Chair, the designated Chairperson shall endorse his or her approval to the Minutes of the meeting prior to the filing of the Minutes with the Clerk.

##### Rule 8.5(B): Rules of Conduct and Decorum

The Rules of Conduct and Decorum prescribed for proceedings before Council apply to all meetings of Committees of Council. Unless absent, the designated Chairperson of each Committee shall preside at meetings of the Committee and may exercise all powers vested in the President of Council for the purpose of insuring that meetings are conducted in an orderly fashion.

##### Rule 8.5(C): Order of Business

Each Committee may establish such general Orders of Business as are deemed necessary by the Membership. Committees shall, at a minimum, establish the existence of a quorum prior to the transaction of business and comply with the requirements of Rule 7 pertaining to the recording, approval, and filing of Minutes of Committee proceedings.

##### Rule 8.5(D): Proposals Regarding Legislation to be by Motion

All proposals to recommend the introduction, adoption, amendment, or rejection of an Ordinance or Resolution to Council shall be presented by Motion and determined by Roll Call Vote.

##### Rule 8.5(E): Presiding Officer in Absence of Committee Chair

In the event the designated Chairperson of a Committee is absent from a Meeting of the Committee, the Members present shall select a Member to preside over the

meeting and discharge the duties of the Committee Chair. The selection of such Member shall be reflected in the minutes but need not be established by formal Motion or Roll Call Vote.

Rule 8.5(F): Voting by Committee Chair  
In all matters decided by Roll Call Vote in Committee, the Chair, or member performing the duties of the Chair, shall vote last.

**Section 2:** All provisions of the Rules of Conduct and Procedure not expressly amended by Section 1 of this Ordinance are ratified, confirmed, and shall remain in full force and effect.

**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

Resolution No. \_\_\_\_\_

**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: \_\_\_\_\_, 2018

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2018

\_\_\_\_\_  
Mayor



ORDINANCE NO. \_\_\_\_\_

**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: \_\_\_\_\_, 2018 \_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2018 \_\_\_\_\_  
Mayor

# Ordinance No. \_\_\_\_\_

## **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 590-540-52735003.

**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 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: \_\_\_\_\_, 2018 \_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2018 \_\_\_\_\_  
Mayor

Ordinance No. \_\_\_\_\_

**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: \_\_\_\_\_, 2018  
\_\_\_\_\_ President of Council

Votes in Favor of Adoption: \_\_\_\_\_  
Votes Opposed to Adoption: \_\_\_\_\_

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2018  
\_\_\_\_\_ Mayor

Ordinance No. \_\_\_\_\_

**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: \_\_\_\_\_, 2018 \_\_\_\_\_  
President of Council

Votes in Favor of Adoption: \_\_\_\_\_  
Votes Opposed to Adoption: \_\_\_\_\_

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2018 \_\_\_\_\_  
Mayor

# Ordinance No. \_\_\_\_\_

## **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: \_\_\_\_\_, 2018

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2018

\_\_\_\_\_  
Mayor

Resolution No. \_\_\_\_\_

**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: \_\_\_\_\_, 2018 \_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2018 \_\_\_\_\_  
Mayor