

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 JUNE 5, 2018
OPENING COMMENTS – 7:00 P.M.

SPECIAL GUEST: NONE
PUBLIC HEARING: CDBG

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

FIRST READING: AN ORDINANCE AUTHORIZING APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR AN AWARD OF COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATION PROGRAM FUNDS AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATION TO MAKE APPLICATION FOR, RECEIVE, AND ADMINISTER PROGRAM YEAR 2018 COMMUNITY DEVELOPMENT BLOCK GRANT CRITICAL INFRASTRUCTURE PROGRAM ASSISTANCE AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO MAKE APPLICATION FOR, RECEIVE, AND ADMINISTER PROGRAM YEAR 2018 COMMUNITY DEVELOPMENT COMPETITIVE NEIGHBORHOOD REVITALIZATION PROGRAM ASSISTANCE AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE ROCK SALT AND DECLARING AN EMERGENCY

CITIZEN CONCERNS: NONE
STUDY SESSION: NONE

LIAISON ASSIGNMENTS	TIME	DATE	AGENDA
♣SEWER: LUNDBERG	7:00 P.M.	Tuesday - JUNE 2018	NO MEETING
♣STREETS & SIDEWALK: HANCOCK	7:00 P.M.	Tuesday - JUNE 2018	NO MEETING
♣UTILITIES, GAS & LIGHTS: PLANT	7:00 P.M.	Tuesday - JUNE 2018	NO MEETING
♣POLICE & FIRE: WAXLER	7:00 P.M.	Tuesday - JUNE 2018	NO MEETING
♣TRAFFIC COMMISSION: LEONARD, Mayor, Cereghin, Shafer, Wilkins, Sprow, Waxler, Eureste, Krutsch	5:00 P.M.	Tuesday - JUNE 2018	NO MEETING
♣FINANCE: LUNDBERG	7:00 P.M.	Tuesday - JUNE 2018	NO MEETING
♣BUILDING AND LANDS: ENGEL	7:00 P.M.	Tuesday - JUNE 2018	NO MEETING
♣WATER: KRUTSCH	7:00 P.M.	Tuesday - JUNE 2018	NO MEETING
♣ECONOMIC DEVELOPMENT: EURESTE	7:00 P.M.	Tuesday - JUNE 2018	NO MEETING
♣COMMUNITY INTERACTION:	7:00 P.M.	Tuesday - JUNE 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 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, with the exception of the Economic Development Committee. 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

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 8.3(D): Economic Development Committee

The Economic Development Committee shall consist of the three (3) At-Large Members. The term limits specified in Rule 8.3(A) do not apply to the Members of the Economic Development Committee.

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR AN AWARD OF COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATION PROGRAM FUNDS AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Development Services Agency (“ODSA”) allocates Small Cities Community Development Block Grant (“CDBG”) funds to assist local units of government with the cost of Community Development Activities undertaken to achieve Federal objectives of the Housing & Community Development Act of 1974; and,

WHEREAS, the City Administration aims to make street improvements, construct curbs, sidewalks, and drainage facilities, and develop a park in the Ottawa Avenue neighborhood; and,

WHEREAS, the City desires to participate in the PY 2018 CDBG Community Development Allocation Program to undertake these program-eligible improvements that are not affordable without Small Cities Community Development Block Grant assistance; and,

WHEREAS, Council acknowledges that acceptance of Federal assistance obligates the Municipality to administer the granted funds in accordance with program guidelines and to maintain public facilities and conduct programs in accordance with Federal requirements;

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

Section 1: The City Administrator, as official representative of the Municipality pursuant to Ordinance No. 7825, is hereby authorized to enter into any contract with the ODSA for Housing & Community Development Act assistance as may be available through the PY 2018 CDBG Community Development Allocation Program and is empowered to:

- a) Prepare, execute, and file all documents necessary to make application to the ODSA for a grant of CDBG Community Development Allocation Program assistance;
- b) Provide such certifications and assurances as may be requested to assure that Title I funds are received and expended in full compliance with the Housing & Community Development Act of 1974 and regulations promulgated pursuant thereto including, without limitation, 24 CFR 570.496(a);
- c) Provide such certifications and assurances as may be requested to assure that municipal facilities are constructed and maintained and municipal programs are operated in conformity with anti-discrimination regulations applicable to the municipality by reason of its acceptance of Federal financial assistance; and
- d) Receive and administer funds in order to carry out all programs and activities described by the authorized Community Development Block Grant application in conformity with program guidelines and applicable regulations.

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 is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that the City must file the application authorized by this Ordinance promptly with the ODSA in order to be considered timely and eligible for funding. 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 MAKE APPLICATION FOR, RECEIVE, AND ADMINISTER PROGRAM YEAR 2018 COMMUNITY DEVELOPMENT BLOCK GRANT CRITICAL INFRASTRUCTURE PROGRAM ASSISTANCE AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Development Services Agency (“ODSA”) allocates Community Development Block Grant (“CDBG”) Critical Infrastructure Program funding to make improvements to low to moderate-income areas; and,

WHEREAS, the City of Defiance desires to apply for this competitive grant in the amount of Five Hundred Thousand and No/100 Dollars (\$500,000.00) in order to reconstruct Karnes Avenue from Ottawa Avenue to Summit Street; and,

WHEREAS, Council must authorize the City Administrator to act in connection with the application by Ordinance;

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

Section 1: The City Administrator is designated as the official representative of the City of Defiance, Ohio for purposes relating to the Municipality’s participation in the Program Year 2018 CDBG Critical Infrastructure Program administered by ODSA.

Section 2: The City Administrator is authorized to submit an application to ODSA for the PY 2018 CDBG Critical Infrastructure Program Grant and may provide all information and documentation requested in support of the application.

Section 3: Council acknowledges that participation in the program requires compliance with Federal and State laws, regulations, and program guidelines. The City Administrator is directed to administer such funds as may be received and all work undertaken with CDBG Critical Infrastructure Program funds shall be in strict conformity with all applicable statutes, State and Federal regulations, and program guidelines. The City Administrator is authorized to provide such assurances, information, and documentation as may be requested by ODSA to demonstrate compliance with statutory, regulatory, and program guidelines in making application for, and administration of, funds allocated to the Municipality pursuant to the authorized application.

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 immediate filing of the authorized application is required to receive consideration by ODSA. 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 MAKE APPLICATION FOR, RECEIVE, AND ADMINISTER PROGRAM YEAR 2018 COMMUNITY DEVELOPMENT COMPETITIVE NEIGHBORHOOD REVITALIZATION PROGRAM ASSISTANCE AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Development Services Agency (“ODSA”) allocates Community Development Neighborhood Revitalization funding to make improvements to low to moderate-income areas; and,

WHEREAS, the City of Defiance desires to apply for this competitive grant in the amount of Five Hundred Thousand and No/100 Dollars (\$500,000.00) in order to complete street improvements, flood control and drainage facilities, sidewalks, and park enhancements; and,

WHEREAS, Council must authorize the City Administrator to act in connection with the application by Ordinance;

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

Section 1: The City Administrator is designated as the official representative of the City of Defiance, Ohio for purposes relating to the Municipality’s participation in the Program Year 2018 Community Development Competitive Neighborhood Revitalization Program administered by ODSA.

Section 2: The City Administrator is authorized to submit an application to ODSA for the PY 2018 Community Development Competitive Neighborhood Revitalization Program Grant and may provide all information and documentation requested in support of the application.

Section 3: Council acknowledges that participation in the program requires compliance with Federal and State laws, regulations, and program guidelines. The City Administrator is directed to administer such funds as may be received and all work undertaken with Community Development Competitive Neighborhood Revitalization funds shall be in strict conformity with all applicable statutes, State and Federal regulations, and program guidelines. The City Administrator is authorized to provide such assurances, information, and documentation as may be requested by ODSA to demonstrate compliance with statutory, regulatory, and program guidelines in making application for, and administration of, funds allocated to the Municipality pursuant to the authorized application.

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 immediate filing of the authorized application is required to receive consideration by ODSA. 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 PURCHASE ROCK SALT AND DECLARING AN EMERGENCY

WHEREAS, quotes to supply seven hundred (700) tons of rock salt for use during the 2018-2019 winter season were properly solicited and Morton Salt, Inc. submitted the lowest responsive and responsible bid in the amount of Sixty-Seven and 16/100 Dollars (\$67.16) per ton; and,

WHEREAS, the total cost of Forty-Seven Thousand Twelve and No/100 Dollars (\$47,012.00) 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 enter into a contract with Morton Salt, Inc. to supply seven hundred (700) tons of ice control salt at the quoted price of Sixty-Seven and 16/100 Dollars (\$67.16) per ton.

Section 2: The Finance Director is authorized to pay the purchase price of Forty-Seven Thousand Twelve and No/100 Dollars (\$47,012.00) from Line 204-446-5-2-730-114 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 the quoted price is only valid for a period of thirty (30) days from the opening of bids and may increase after June 14, 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