

NOTICE OF PROCEEDINGS MEETING
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 JULY 23, 2019
OPENING COMMENTS – 7:00 P.M.

SPECIAL GUEST: NONE

PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE ACCEPTING A RIGHT-OF-WAY DEDICATION BETWEEN FRONT STREET AND THIRD STREET IN THE FIRST ADDITION TO THE CITY OF DEFIANCE, OHIO

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

FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT MODIFICATION WITH DGL CONSULTING ENGINEERS, LLC FOR CONSTRUCTION MANAGEMENT AND OBSERVATION SERVICES FOR THE EAST HIGH STREET RECONSTRUCTION PROJECT AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING TRANSFERS OF FUNDS FOR THE CITY OF DEFIANCE, OHIO FOR THE YEAR ENDING DECEMBER 31, 2019

STUDY SESSION: NONE

CITIZEN CONCERNS: NAME & ADDRESS FOR THE RECORD (5 MINS)

COMMITTEE ASSIGNMENTS	TIME	DATE (2019)	AGENDA
▷SEWER: LUNDBERG , Krutsch, Plant	7:00 P.M.	Tuesday - JULY	NO MEETING
▷STREETS & SIDEWALK: HANCOCK , Eureste, Krutsch	7:00 P.M.	Tuesday - JULY	NO MEETING
▷UTILITIES, GAS & LIGHTS: PLANT , Waxler, Lundberg	7:00 P.M.	Tuesday – JULY	NO MEETING
▷POLICE & FIRE: WAXLER , Hancock, Engel	7:00 P.M.	Tuesday - JULY	NO MEETING
▷TRAFFIC COMMISSION: LEONARD , Mayor, Cereghin, Shafer, Wilkins, Sprow, Waxler, Eureste, Krutsch	5:00 P.M.	SPECIAL Tuesday - JULY 30	DRIVEWAY WIDTH APPEAL – 1292 HEATHERDOWNS DRIVE
▷FINANCE: LUNDBERG , Hancock, Plant	7:00 P.M.	Tuesday – JULY 23	QUARTERLY UPDATE
▷BUILDING AND LANDS: ENGEL , Eureste, Waxler	7:00 P.M.	Tuesday – JULY	NO MEETING
▷WATER: KRUTSCH , Eureste, Engel	7:00 P.M.	Tuesday - JULY	NO MEETING
▷ECONOMIC DEVELOPMENT: EURESTE , Krutsch, Waxler	7:00 P.M.	Tuesday – JULY	NO MEETING
▷PUBLIC RELATIONS: PLANT , Lundberg, Hancock	7:00 P.M.	Tuesday – JULY	NO MEETING
▷BOARD OF CONTROL MEETING: MAYOR , Leonard, O'Donnell, 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 ACCEPTING A RIGHT-OF-WAY DEDICATION
BETWEEN FRONT STREET AND THIRD STREET IN THE FIRST
ADDITION TO THE CITY OF DEFIANCE, OHIO**

WHEREAS, a platted 11' alley lies between Front Street and Third Street in the First Addition to the City of Defiance, Defiance County, Ohio that the City never dedicated as a formal alley; and,

WHEREAS, the adjoining property owners rely on that alley attached hereto and marked as "Exhibit A" for access to the rear of their properties; and,

WHEREAS, the City Administration is initiating this right-of-way dedication to clarify the property records; and,

WHEREAS, §723.03, Ohio Revised Code requires a municipality to accept and confirm any dedication of a public right-of-way *by ordinance* in order to become a public alley;

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

Section 1: The 11'-wide right-of-way dedication for public use between Front Street and Third Street in the First Addition to the City of Defiance, Ohio, as identified by the dedication plat marked as "Exhibit A", is hereby accepted by Council acting as the legislative authority for the City.

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: _____, 2019

President of Council

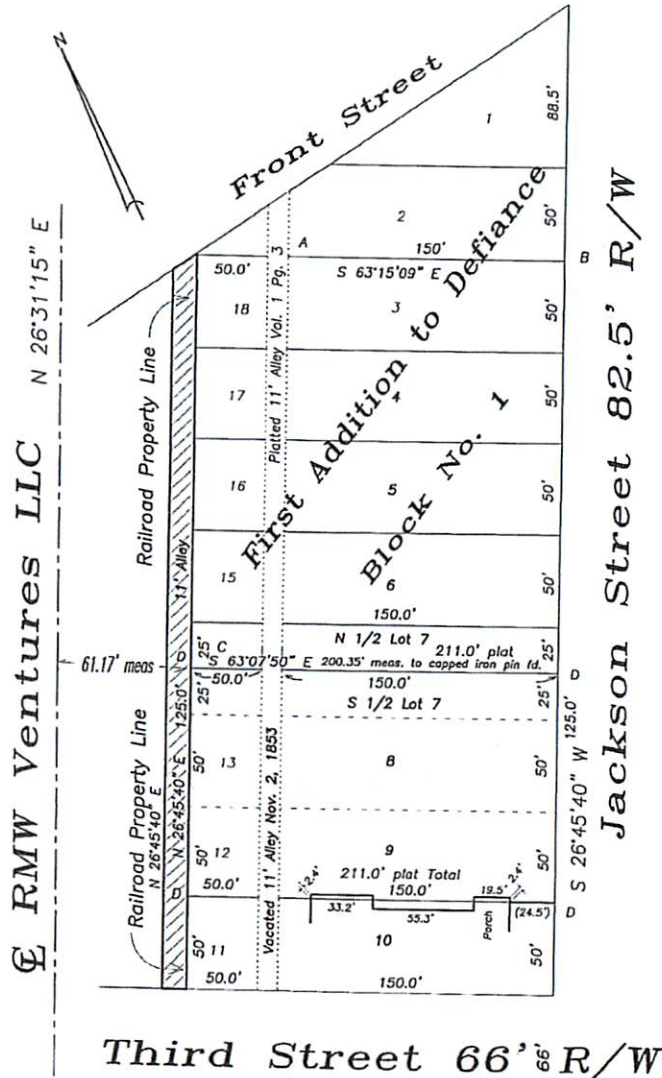
Attest: _____, Clerk

Approved: _____, 2019

Mayor

Dedication Plat

Being a dedication of an 11 foot alley lying Southerly of Front Street and and the Northerly of Third Street being a part of Lot No. 11 thur Lot No. 18 of Block No. 1 of The First Addition to the City of Defiance, Defiance County, Ohio.



- Toledo & Illinois RR Deed Ref.
- Lot 11- Deed Vol. 9 Page 446
 - Lot 12- Deed Vol. 9 Page 445
 - Lot 13 & S 1/2 Lot 14
Vol. 9 Pg. 443
 - N 1/2 Lot 14 & Lot 15
Vol. 9 Page 447
 - Lot 16 Vol. 9 Pg. 455
 - Lot 17 Vol. 9 Page 449
 - Lot 18 Vol. 9 Page 434

Legend

- A- Iron pipe found.
- B- Iron pin found
inside iron pipe.
- C- Capped iron pin
found.
- D- 5/8" capped iron
pin set.

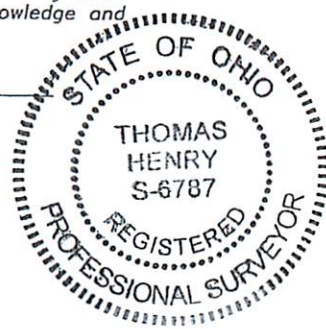


1ST ADD. TO DEFIANCE, ALLEY VACATION:
 No V 2, 1853
 Alley vacated & new 15'
 alley established on
 E. line of Toledo, Illinois
 R.R. in 1st add to
 Defiance Block No. 1
 FIRST ADDITION TO DEFIANCE 2-E
 Vol 1853 to 1872 p 12

I hereby certify that I did perform this survey and that it is correct to the best of my knowledge and belief.

2-20-19

Thomas J. Henry
 Registered Surveyor No. 6787



Alley Dedication Plat

Being a Dedication Plat of an 11 foot alley lying Southerly of Front Street and Northerly of Third Street being a part of Lot No. 11 thur Lot No. 18 of Block No. 1 of The First Addition to the City of Defiance, Defiance County, Ohio.

CERTIFICATION

We, the Council of the City of Defiance, Ohio, do hereby approve of said streets and alleys, under all stipulations of the Ohio Revised Code for Dedication of all alleys and streets, etc.

Ordinance No. _____ on this ____ day of _____ 20 ____.

Lisa Elders, Clerck of Council

APPROVAL

I do hereby approve this plat.

Melinda Warner, P.E.
City Engineer

CERTIFICATION

I, Defiance County Auditor, do hereby approve this plat.
Dated on this ____ day of _____ 20 ____.

Jill R. Little
Defiance County Auditor

CERTIFICATION

I, Defiance County Recorder, do hereby approve this plat.
Dated on this ____ day of _____ 20 ____.
Volume ____ Page ____.

Cecilia A. Parsons
Defiance County Recorder

Fee: _____



ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO
PURCHASE ROCK SALT

WHEREAS, quotes to supply six hundred (600) tons of rock salt for use during the 2019-2020 winter season were properly solicited and Morton Salt, Inc. submitted the lowest bid in the amount of Eighty-Four and 98/100 Dollars (\$84.98) per ton; and,

WHEREAS, the total cost of Fifty Thousand Nine Hundred Eighty-Eight and No/100 Dollars (\$50,988.00) 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 six hundred (600) tons of ice control salt at the quoted price of Fifty Thousand Nine Hundred Eighty-Eight and No/100 Dollars (\$50,988.00).

Section 2: The Finance Director is authorized to pay the purchase price from Section 1 from Line 204-446-5-2-730-114 of the 2019 annual budget.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

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

Passed: _____, 2019 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2019 _____
Mayor

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A CONTRACT MODIFICATION WITH
DGL CONSULTING ENGINEERS, LLC FOR CONSTRUCTION
MANAGEMENT AND OBSERVATION SERVICES FOR THE EAST HIGH
STREET RECONSTRUCTION PROJECT AND DECLARING AN
EMERGENCY**

WHEREAS, Council awarded a contract with DGL Consulting Engineers, LLC to manage and supervise the East High Street Reconstruction project on April 10, 2018 in Ordinance No. 8009; and,

WHEREAS, the original contract assumed the construction duration of 34 weeks; and,

WHEREAS, the project awaits final completion and will have a construction duration of 42 weeks; and,

WHEREAS, DGL Consulting Engineers, LLC requests a modification of the original contract in the amount of \$43,328.00 for the additional time and services provided;

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 modified contract with DGL Consulting Engineers, LLC to oversee the remaining East High Street Reconstruction project at the additional cost of \$43,328.00.

Section 2: The Finance Director is authorized to pay the modified contract price from Section 1 from appropriated funds allocated by expenditure from Line 589-019-5-2-977.090 of the 2019 annual budget.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that immediate modification of the original contract is necessary to prevent any gaps in services from the construction management company. 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: _____, 2019

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2019

Mayor

ORDINANCE No. _____

**AN ORDINANCE AUTHORIZING TRANSFERS
OF FUNDS FOR THE CITY OF DEFIANCE, OHIO FOR THE
YEAR ENDING DECEMBER 31, 2019.**

Whereas, the Council of the City of Defiance has previously provided for the transfer of funds in the annual appropriation ordinance; and

Whereas, the City Finance Director has determined that it is necessary to complete the following transfers in order to meet current expenses and other expenditures of the City:

Now, therefore, be it enacted by the Council of the City of Defiance, Defiance County, Ohio:

Section 1: That the following amounts shall be transferred for the month of July, 2019.

<u>FUND FROM</u>	<u>AMOUNT</u>	<u>FUND TO</u>
General Fund #101	\$ 164,519	Commerce Drive Fund #768
General Fund #101	\$ 410,000	Capital Improvements Fund #403
Hotel/Motel Tax Fund #704	\$ 101,000	Splash Pad Trust Fund #405

Section 2: It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and that all deliberations that resulted in such formal action being taken, including all deliberations conducted by Committees of the Council, were conducted in meetings open to the public duly convened in compliance with law.

Section 3: This Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Passed: _____, 2019

President of Council

Votes Approving Adoption: _____

Votes Opposing Adoption: _____

Attest: _____, Clerk

Approved: _____, 2019

Mayor