

Ordinance No. _____

**AN ORDINANCE CONSENTING TO THE INSPECTION OF A BRIDGE
WITHIN THE MUNICIPALITY AND PLEDGING COOPERATION WITH
THE OHIO DIRECTOR OF TRANSPORTATION
(Preliminary Legislation: ODOT Project ID No. 109334)**

WHEREAS, the City is obligated to inspect the Columbus Avenue Bridge over Preston Run that is not maintained by the County Engineer or the Ohio Department of Transportation; and,

WHEREAS, the Department of Transportation has established a voluntary program to assist municipalities by contracting with qualified consultants to perform the required inspection services at State expense; and,

WHEREAS, Council finds the need for Bridge Inspection Program services, including, but not limited to, routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plans of action, development of fracture critical plans, and underwater dive inspection reports if necessary; and,

WHEREAS, Council finds that maintenance of this bridge promotes the Connectivity Pillar of the Defiance Community Strategic Plan by ensuring the safety of a bridge;

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

Section 1: Council hereby gives consent for the Ohio Director of Transportation to complete the above-described project.

Section 2: The City shall cooperate with the Ohio Department of Transportation ("ODOT") in above-described project in the following manner:

- A. The State shall assume and bear one hundred percent (100%) of the cost for the Bridge Inspection Program services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract now on file in the office of the City Engineer and incorporated herein by reference.
- B. The City shall pay one hundred percent (100%) of the cost of any service or feature that is not included in the Consultant's Scope of Services to be performed under the State Contract including, but not limited to, the purchasing and erecting the recommended weight limits posting signs, the implementation of critical findings reports, and the implementation of scour plans of action.

Section 3: The City agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

Section 4: The City Administrator is authorized to enter into and execute such agreements with the Ohio Director of Transportation as may be appropriate to secure municipal participation in the program.

Section 5: 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 6: 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 APPROVING AND RATIFYING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DEFIANCE, OHIO AND A.F.S.C.M.E. LOCAL 2213 AND DECLARING AN EMERGENCY

WHEREAS, the City Administration and A.F.S.C.M.E. Local 2213 held discussions over the last few months on a new three-year labor contract;

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

Section 1: The Mayor, President of Council, City Administrator, and all other appropriate officials and agents of the City are authorized to enter into and execute the proposed Collective Bargaining Agreement between the City and A.F.S.C.M.E. Local 2213 pertaining to the period August 1, 2019, to July 31, 2022, on the terms accepted by the A.F.S.C.M.E. Local 2213 membership on or about July 17, 2019.

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 existing contract between the City and A.F.S.C.M.E. Local 2213 expired on July 31, 2019 and timely approval is necessary to comply with the statutory duty of the City to negotiate in good faith. 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