

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 JANUARY 11, 2022
OPENING COMMENTS – 7:00 P.M.

PUBLIC HEARING: NONE

SPECIAL GUEST: NONE

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

FIRST READING: AN ORDINANCE AMENDING ORDINANCE NO. 8315 REGARDING APPLICATION FOR THE NATURE WORKS GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING A DESIGN-BUILD CONTRACT FOR THE DESIGN OF A WETLAND AT EAST RIVER DRIVE

FIRST READING: AN ORDINANCE VACATING A RIGHT-OF-WAY BETWEEN LOTS 21 AND 22 OF THE NORTH DEFIANCE ADDITION

FIRST READING: AN ORDINANCE AUTHORIZING MONTHLY TRANSFERS OF FUNDS FOR THE CITY OF DEFIANCE, OHIO FOR THE YEAR ENDING DECEMBER 31, 2022

STUDY SESSION: NONE

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

LIAISON ASSIGNMENTS	TIME P.M.	DATE (2022)	AGENDA
BUILDING & LANDS EURESTE	7:00	Tuesday - JANUARY	NO MEETING
ECONOMIC DEVELOPMENT ENGEL	7:00	Tuesday - JANUARY	NO MEETING
FINANCE & BUDGET HANCOCK	7:00	Tuesday – JANUARY	NO MEETING
POLICE & FIRE KRUTSCH	7:00	Tuesday - JANUARY	NO MEETING
PUBLIC RELATIONS MAST	7:00	Tuesday - JANUARY	NO MEETING
PUBLIC UTILITIES, GAS & LIGHTS CORBITT	7:00	Tuesday – JANUARY	NO MEETING
SEWER & SANITATION CORBITT	7:00	Tuesday – JANUARY	NO MEETING
STREETS & SIDEWALKS MAST	7:00	Tuesday - JANUARY	NO MEETING
WATERWORKS – SERVICE WAXLER	7:00	Tuesday – JANUARY	NO MEETING
TRAFFIC COMMISSION: LEONARD. Mack. Mayor. Cereghin. Shafer. Wilkins. Sprow. Waxler. Eureste. Krutsch	5:30	Tuesday – JANUARY	NO MEETING
BOARD OF CONTROL MEETING: MAYOR. Leonard. O’Donnell. Lehner. Mack	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 AUTHORIZING THE CITY ADMINISTRATOR TO
PURCHASE ROCK SALT**

WHEREAS, the City desires to purchase four hundred fifty (450) tons of rock salt for use during the 2022 winter season; and,

WHEREAS, quotes were properly solicited and Morton Salt, Inc. submitted the lowest quote in the amount of Sixty-Nine and 15/100 Dollars (\$69.15) per ton; and,

WHEREAS, the total cost of Thirty-One Thousand One Hundred Seventeen and 50/100 Dollars (\$31,117.50) exceeds the discretionary spending authority granted to 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 four hundred fifty (450) tons of ice control salt at the quoted price of Thirty-One Thousand One Hundred Seventeen and 50/100 Dollars (\$31,117.50).

Section 2: The Finance Director is authorized to pay the purchase price from Section 1 from Line 204-446-52-730114 of the 2022 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: _____, 2022 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2022 _____
Mayor

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 8315 REGARDING APPLICATION FOR THE NATURE WORKS GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES AND DECLARING AN EMERGENCY

WHEREAS, Council authorized the entry of a grant agreement with the Ohio Department of Natural Resources ("ODNR") in order to help fund new playground equipment at Kingsbury Park in Ordinance No. 8315 on June 1, 2021; and,

WHEREAS, a clerical error caused a discrepancy between the total grant funding listed in Section 3 of the authorizing ordinance and the amount listed in the proposed Grant Agreement with ODNR; and,

WHEREAS, the correct amount of grant funding is \$49,839.00; and,

WHEREAS, Council finds that entry into this Grant Agreement would promote the Perception Pillar of the Defiance Community Strategic Plan by providing attractive amenities at Kingsbury Park;

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

Section 1: Council hereby amends Section 3 of Ordinance No. 8315 to obligate \$49,839.00 in funding received or reimbursed from the ODNR Nature Works grant program and ratifies all remaining provisions of the Ordinance.

Section 2: The City Administrator is further authorized to execute and deliver all contracts, agreements, program compliance covenants, and other documents as may be appropriate to secure grant funding from ODNR should the City become the recipient of the grant.

Section 3: Council further agrees to obligate the remaining funds that make up the City share of the project in consideration for the receipt of the amount of grant funding listed in Section 1.

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 the grant deadlines require timely completion of the project in 2022. 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: _____, 2022

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2022

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING A DESIGN-BUILD CONTRACT FOR THE DESIGN OF A WETLAND AT EAST RIVER DRIVE

WHEREAS, the Ohio Department of Natural Resources ("ODNR") awarded \$1,554,797.00 to the City as part of the "H2Ohio" grant program to cover expenses associated with the development of a wetland; and,

WHEREAS, Council added Section 151.06 and amended Section 151.03(d) of the Codified Ordinances of Defiance, Ohio to allow for the design-build project delivery method for public improvements in Ordinance No. 8338 on September 28, 2021; and,

WHEREAS, the City issued a Request for Proposals ("RFP") to develop a wetland on City property located adjacent to the intersection of Domersville Road and East River Drive and a committee of City administrative staff ranked Biohabitats, Inc. as the most qualified firm to complete the project; and,

WHEREAS, the aforementioned committee negotiated a price of \$220,255.41 for successful design and preconstruction services of the project; and,

WHEREAS, Council finds that the completion of this project will help to filter out surface pollutants before they enter the Maumee River and protect other critical natural resources;

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

Section 1: The City Administrator is directed to award a design-build contract to Biohabitats, Inc. of Cleveland, OH for the design and certain preconstruction services for a wetland on City-owned property at East River Drive in conformity with the terms established by the proposal dated December 9, 2021 and at the negotiated price of \$220,255.41.

Section 2: The Finance Director is authorized to pay the costs of the design-build contract authorized by Section 1 from Line 589-540-52-980880 of the 2022 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: _____, 2022

President of Council

Attest: _____, Clerk

Approved: _____, 2022

Mayor

Ordinance No. _____

**AN ORDINANCE VACATING A RIGHT-OF-WAY BETWEEN LOTS 21
AND 22 OF THE NORTH DEFIANCE ADDITION**

WHEREAS, the City received a petition to vacate the right-of-way adjacent to and adjoining Lot Nos. twenty-one (21) and twenty-two (22) in the North Defiance Addition to the City of Defiance, Ohio; and,

WHEREAS, the Planning & Zoning Commission heard the petition at the December 20, 2021 public hearing and voted unanimously to recommend the right-of-way vacation; and,

WHEREAS, the subject right-of-way contains no public or private utilities; and,

WHEREAS, Council finds good cause for vacating the alley and that the requested vacation will not be detrimental to the public interest pursuant to Section 905.19(a) 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 north-to-south right-of-way between Lot Nos. twenty-one (21) and twenty-two (22), or Permanent Parcel Nos. B01-3122-0-007-00 and B01-3122-0-008-00, in the North Defiance Addition to the City of Defiance, OH (403 W. High Street) is hereby vacated.

Section 2: The Law Director, or his designee, shall record a copy of this Ordinance to document the vacation of the public right-of-way lying between these parcels.

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: _____, 2022

President of Council

Attest: _____, Clerk

Approved: _____, 2022

Mayor

ORDINANCE No. _____

AN ORDINANCE AUTHORIZING MONTHLY TRANSFERS OF FUNDS FOR THE CITY OF DEFIANCE, OHIO FOR THE YEAR ENDING DECEMBER 31, 2022.

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 transfer a portion of the appropriated funds each month 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 on a monthly basis for the period January, 2022 through September, 2022:

<u>FUND FROM</u>	<u>AMOUNT</u>	<u>FUND TO</u>
General Fund #101	\$ 347,250	Police & Fire Fund #201
General Fund #101	\$ 29,166	Police Pension Fund #732
General Fund #101	\$ 28,333	Fire Pension Fund #733
WPC Fund #590	\$ 39,500	General Fund #101
WPC Fund #590	\$ 32,966	Utilities Billing Office Fund #585
WTP Fund #591	\$ 35,000	General Fund #101
WTP Fund #591	\$ 32,966	Utilities Billing Office Fund #585
Refuse #596	\$ 5,416	Utilities Billing Office Fund #585

Section 2: That the amounts necessary for transfer in the months of October, November and December, 2022, upon the further recommendation by the City Finance Director, will be considered during those months.

Section 3: 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 4: This Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Passed: _____, 2022

President of Council

Votes Approving Adoption: _____

Votes Opposing Adoption: _____

Attest: _____, Clerk

Approved: _____, 2022

Mayor