

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

PUBLIC HEARING: NONE

SPECIAL GUEST: NONE

SECOND READING: AN ORDINANCE APPROVING CURRENT REPLACEMENT PAGES TO THE DEFIANCE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT FOR THE PAINTING OF A CLARIFIER TANK AT THE WATER TREATMENT PLANT

FIRST READING: AN ORDINANCE AWARDED A CONTRACT FOR TREE REMOVAL TO GOLIATH TREE & LAWN SERVICES, LLC AND DECLARING AN EMERGENCY

STUDY SESSION: NONE

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

LIAISON ASSIGNMENTS	TIME P.M.	DATE (2022)	AGENDA
COMMITTEE OF A WHOLE McMASTER	7:00	Tuesday – OCTOBER 11	QUARTERLY UPDATE
BUILDING & LANDS EURESTE	7:00	Tuesday - OCTOBER	NO MEETING
ECONOMIC DEVELOPMENT ENGEL	7:00	Tuesday - OCTOBER	NO MEETING
FINANCE & BUDGET HANCOCK	7:00	Tuesday – OCTOBER	NO MEETING
POLICE & FIRE KRUTSCH	7:00	Tuesday - OCTOBER	NO MEETING
PUBLIC RELATIONS MAST	7:00	Tuesday - OCTOBER	NO MEETING
PUBLIC UTILITIES, GAS & LIGHTS CORBITT	7:00	Tuesday – OCTOBER	NO MEETING
SEWER & SANITATION CORBITT	7:00	Tuesday – OCTOBER	NO MEETING
STREETS & SIDEWALKS MAST	7:00	Tuesday - OCTOBER	NO MEETING
WATERWORKS – SERVICE WAXLER	7:00	Tuesday – OCTOBER	NO MEETING
TRAFFIC COMMISSION: MACK. Mayor. Zeedyk. Shafer. Wilkins. Sprow. Waxler. Eureste. Krutsch	5:30	Tuesday – OCTOBER	NO MEETING
BOARD OF CONTROL MEETING: MAYOR. Mack. O’Donnell. Lehner	9:00 am	Wednesday	NO BOC MEETING ON OCTOBER 10 AND OCTOBER 13 BOC MEETING WILL BE HELD WEDNESDAY OCTOBER 12, 2022 AT 9:00 A.M. POSTED AT 631 PERRY STREET MEETINGS IN FRONT CONFERENCE ROOM

ORDINANCE NO. _____

AN ORDINANCE APPROVING CURRENT REPLACEMENT PAGES TO THE DEFIANCE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and,

WHEREAS, various statutes of a general and permanent nature have been passed by the Ohio General Assembly which should be included in the Codified Ordinances; and,

WHEREAS, the City has heretofore entered into a contract with the American Legal Publishing to prepare and publish such revision which is before Council;

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

Section 1: The ordinances of the City of Defiance, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2022 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

Section 2: The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Administrative Code

101.03 Rules of Construction. (Amended)

Traffic Code

303.082 Private Tow-Away Zones. (Amended)
303.083 Impounding Vehicles on Public Property. (Added)

General Offenses Code

513.01 Drug Abuse Control Definitions. (Amended)
513.15 Sale of Dextromethorphan. (Added)
517.01 Gambling Definitions. (Amended)
517.02 Gambling. (Amended)
517.06 Methods of Conducting a Bingo Game; Prohibitions. (Amended)
517.08 Raffles. (Amended)
517.09 Charitable Instant Bingo Organizations. (Amended)
517.11 Bingo or Game of Chance Records. (Amended)
517.13 Bingo Exceptions. (Amended)
517.14 Instant Bingo Conduct by a Veteran's or Fraternal Organization. (Amended)
517.15 Skill-Based Amusement Machines. (Amended)
517.16 Electronic Instant Bingo; Prohibited Conduct. (Added)
525.13 Interfering with Civil Rights. (Amended)
529.01 Liquor Control Definitions. (Amended)
529.07 Open Container Prohibited. (Amended)
537.19 Hazing Prohibited. (Added)
545.09 Passing Bad Checks. (Amended)
549.02 Carrying Concealed Weapons. (Amended)
549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)
549.10 Possessing Replica Firearm in School. (Amended)
549.12 Concealed Handgun Licenses; Possession of Revoked or Suspended License; Additional Restrictions; Posting Signs Prohibiting Possession. (Added)

Fire Prevention Code

1519.01 Fireworks Definitions. (Amended)
1519.04 Possession, Sale, or Discharge Prohibited; Exceptions. (Amended)
1519.05 Application. (Amended)
1519.06 Safety Requirements for Fireworks Showroom Structures. (Added)
1519.07 Manufacturing or Wholesale Sale Without a License; Prohibitions. (Added)
1519.08 Purchase to Comply with Law; Unauthorized Practices. (Added)

Section 3: The complete text of the sections of the Codified Ordinances listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby

attached to this ordinance as Exhibit A. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

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 there exists an imperative necessity for the earliest publication and distribution of current Replacement Pages to the officials and residents of the City, so as to facilitate administration, daily operation, and avoid practical and legal entanglements. 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 CONTRACT FOR THE PAINTING OF
A CLARIFIER TANK AT THE WATER TREATMENT PLANT**

WHEREAS, the Water Treatment Plant ("WTP") has four clarifier tanks that it uses remove sediments and suspended solids from drinking water; and,

WHEREAS, a new coat of paint on the Number 4 Clarifier Tank is necessary to reduce the rust and corrosion on the tank; and,

WHEREAS, C.R. Hunt, Inc. from Defiance, OH submitted the *sole* quote for the project at the price of \$29,998.00; and,

WHEREAS, Council finds that periodic repainting will help extend the lifespan of this clarifier tank;

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 contract to C.R. Hunt, Inc. to sandblast and paint Clarifier Number 4 at the WTP in conformity with the specifications of the proposal dated September 14, 2022, and at the quoted price of \$29,998.00.

Section 2: The Finance Director is authorized to pay the cost of the contract authorized by Section 1 from Line 591-537-52-980880 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 AWARDING A CONTRACT FOR TREE REMOVAL TO GOLIATH TREE & LAWN SERVICES, LLC AND DECLARING AN EMERGENCY

WHEREAS, trees located on public lands and in public rights-of-way are regularly pruned or removed by the municipality to preserve the health, safety, and welfare of City residents; and,

WHEREAS, a solicitation was made for proposals to perform the required tree services and Goliath Tree & Lawn Services, LLC submitted the lowest and best quote in the amount of \$37,400.00; and,

WHEREAS, Council finds that the annual removal of select street trees in a compromised condition promotes the safety of people and property within the municipality;

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 Goliath Tree & Lawn Services, LLC to prune or remove all trees identified by the solicitation for the 2022 Tree Contract at the price of \$37,400.00.

Section 2: The Finance Director is authorized to pay the contract price from Section 1, plus any incidental costs that may be incurred in accordance with the authorized contract from General Funds allocated to the Division of Parks & Recreation by Budgetary Line Item 101-751-52-941001 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 is declared to be an emergency measure necessary to preserve the health, safety, or welfare of the community for the reason that the trees identified for removal present a safety risk to City residents and prompt action is necessary. 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