

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 13, 2021
OPENING COMMENTS – 7:00 P.M.

PUBLIC HEARING: NONE

SPECIAL GUEST: NONE

SECOND READING: AN ORDINANCE VACATING A RIGHT-OF-WAY BETWEEN LOTS 98, 99, 100, AND 101 OF THE EAST VIEW ADDITION

FIRST READING: AN ORDINANCE AWARDED A CONTRACT FOR THE REPLACEMENT OF A WATERLINE ON HOPKINS STREET AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING A LEASE AGREEMENT FOR A LEAF COLLECTOR AND DECLARING AN EMERGENCY

STUDY SESSION: NONE

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

LIAISON ASSIGNMENTS	TIME P.M.	DATE (2021)	AGENDA
BUILDING & LANDS KRUTSCH	7:00	Tuesday - JULY	NO MEETING
ECONOMIC DEVELOPMENT EURESTE	7:00	Tuesday - JULY	NO MEETING
FINANCE & BUDGET ENGEL	7:00	Tuesday – JULY	NO MEETING
POLICE & FIRE HANCOCK	7:00	Tuesday - JULY	NO MEETING
PUBLIC RELATIONS CORBITT	7:00	Tuesday - JULY	NO MEETING
PUBLIC UTILITIES, GAS & LIGHTS MAST	7:00	Tuesday – JULY	NO MEETING
SEWER & SANITATION WAXLER	7:00	Tuesday – JULY	NO MEETING
STREETS & SIDEWALKS EURESTE	7:00	Tuesday - JULY	NO MEETING
WATERWORKS – SERVICE ENGEL	7:00	Tuesday – JULY	NO MEETING
TRAFFIC COMMISSION: LEONARD. Mayor. Cereghin. Shafer. Wilkins. Sprow. Waxler. Eureste. Krutsch	5:30	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 VACATING A RIGHT-OF-WAY BETWEEN LOTS 98, 99, 100, AND 101 OF THE EAST VIEW ADDITION

WHEREAS, the City received a petition to vacate the right-of-way adjacent to and adjoining Lot Nos. Ninety-Eight (98), Ninety-Nine (99), One Hundred (100) and One Hundred and One (101) in the East View Addition; and,

WHEREAS, the Planning Commission heard the petition at the June 21, 2021 public hearing and voted unanimously to recommend the right-of-way vacation; and,

WHEREAS, the subject right-of-way has private utilities and connects Hill Avenue to an unimproved and unpaved right-of-way; 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. Ninety-Eight (98), Ninety-Nine (99), One Hundred (100) and One Hundred and One (101) in the East View Addition to the City of Defiance, Ohio (1109 and 1111 Ayersville Avenue and 101 Hill 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: _____, 2021 _____
President of Council

Votes in Favor of Adoption: _____
Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021 _____
Mayor



ITEM 3: ALLEY VACATION
PROJECT LOCATION: BETWEEN 101 HILL STREET AND THE REAR OF 1109 AND 1111 AYERSVILLE AVENUE, DEFIANCE, OH 43512
APPLICANT: DANIEL PEREZ, 1109 AYERSVILLE AVENUE, DEFIANCE OH 43512.

Description:
 Vacation of the alley running north-south along the west property line of 101 Hill Street. Alley is located between parcel B01-4161-0-030-00 and the rear of parcels B01-4161-0-027-00, B01-4161-0-028-00, and B01-4161-0-029-00.

ORDINANCE NO. _____

AN ORDINANCE AWARDING A CONTRACT FOR THE REPLACEMENT OF A WATERLINE ON HOPKINS STREET AND DECLARING AN EMERGENCY

WHEREAS, the waterline along Hopkins Street between Buckeye Street and Greenhouse Avenue had multiple breaks and the City Engineer recommends a total replacement of the line; and,

WHEREAS, the City Engineer advertised for bids to supply labor, pavement supplies, and seed for the repair in accordance with plans and material specifications on file as Engineering Division Project No. 1815; and,

WHEREAS, All Purpose Contracting, Inc. of Delphos, Ohio submitted the lowest and best bid in the amount of \$99,860.00; and,

WHEREAS, Council finds that the waterline replacement will provide safe and reliable infrastructure for City residents who reside along Hopkins Street and nearby neighborhoods;

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 All Purpose Contracting, Inc. in the amount of \$99,860.00 to replace the waterline along Hopkins Street between Buckeye Street and Greenhouse Avenue conforming to the plans and specifications established by the lowest and best bid at the prices and on the terms and conditions of performance of the accepted bid.

Section 2: The Finance Director is directed to pay costs of the contract authorized by Section 1 from Line 591-538-52-980880 of the 2021 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 R.C. §153.12(A) requires the award of a contract within sixty days after the date on which the bids are opened or the delay invalidates the entire bid proceedings. Furthermore, immediate execution of this agreement is necessary to ensure that residents along Hopkins Street and the surrounding neighborhoods have reliable access to water without future interruption. 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: _____, 2021

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021

Mayor

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A LEASE AGREEMENT FOR A LEAF COLLECTOR AND DECLARING AN EMERGENCY

WHEREAS, Council authorized the lease of a leaf collector in Ordinance No. 8255 on October 13, 2020; and,

WHEREAS, the City desires to acquire a second leaf collection machine after seeing the results of the machine during the Fall 2020 leaf collection season; and,

WHEREAS, the City identified a Titan Leaf Solutions Thirty-Yard Olympian Leaf Machine that would improve on these results in the upcoming Fall 2021 season for the total amount of \$218,294.91; and,

WHEREAS, financing is available through the Huntington National Bank at an interest rate of 3.48% for a period of five (5) years, after which the City would retain full ownership of the machine with a purchase option of \$1.00; and,

WHEREAS, Council finds that the addition of this machine will make it easier to pick up leaves that fall later in the season

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 lease agreement, and any ancillary documents, with the Huntington National Bank for one (1) Titan Leaf Solutions Thirty-Yard Olympian Leaf Machine for a term of five (5) years at a total cost of \$218,294.91 and according to the terms of the Lease Agreement.

Section 2: The Finance Director is authorized to pay the price in Section 1 in accordance with the Lease Agreement from Line 204-446-52-980880 of the 2021 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 time is of the essence to acquire this equipment before the leaf collection season begins. 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: _____, 2021 _____
President of Council

Votes in Favor of Adoption: _____
Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021 _____
Mayor