

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 AUGUST 9, 2022
OPENING COMMENTS – 7:00 P.M.

PUBLIC HEARING: NONE

SPECIAL GUEST: LORI BRODIE – NORTHWEST REGIONAL LIAISON, PRESENTING AUDITOR’S AWARD WITH DISTINCTION

FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT FOR THE DESIGN OF ABOVE-GROUND FUEL STORAGE TANKS AT THE WATER POLLUTION CONTROL PLANT AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT FOR THE REBUILD OF A TANK GEAR FOR THE WATER POLLUTION CONTROL PLANT AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FOR KINGSBURY PARK FROM LANDSCAPE STRUCTURES, INC. AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FOR KINGSBURY PARK FROM PENCHURA, 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 – AUGUST	NO MEETING
BUILDING & LANDS EURESTE	7:00	Tuesday - AUGUST	NO MEETING
ECONOMIC DEVELOPMENT ENGEL	7:00	Tuesday - AUGUST	NO MEETING
FINANCE & BUDGET HANCOCK	7:00	Tuesday – AUGUST	NO MEETING
POLICE & FIRE KRUTSCH	7:00	Tuesday - AUGUST	NO MEETING
PUBLIC RELATIONS MAST	7:00	Tuesday - AUGUST	NO MEETING
PUBLIC UTILITIES, GAS & LIGHTS CORBITT	7:00	Tuesday – AUGUST	NO MEETING
SEWER & SANITATION CORBITT	7:00	Tuesday – AUGUST	NO MEETING
STREETS & SIDEWALKS MAST	7:00	Tuesday - AUGUST	NO MEETING
WATERWORKS – SERVICE WAXLER	7:00	Tuesday – AUGUST	NO MEETING
TRAFFIC COMMISSION: MACK. Mayor. Zeedyk. Shafer. Wilkins. Sprow. Waxler. Eureste. Krutsch	5:30	Tuesday – AUGUST	NO MEETING
BOARD OF CONTROL MEETING: MAYOR. Mack. 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 AUTHORIZING A CONTRACT FOR THE DESIGN OF ABOVE-GROUND FUEL STORAGE TANKS AT THE WATER POLLUTION CONTROL PLANT AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Department of Commerce conducted an inspection of the underground storage tanks that store fuel for vehicles at the Water Pollution Control ("WPC") Plant on February 14, 2022 and the tanks did not pass the inspection; and,

WHEREAS, the City desires to replace those underground storage tanks with above-ground storage tanks to aid in regulatory compliance and the health of the environment; and,

WHEREAS, the WPC Superintendent solicited quotes for the design and engineering of the removal of the underground storage tanks and replacement with above-ground tanks and Jones & Henry Engineers, Ltd. of Toledo, OH submitted the best quote of \$29,240.00;

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 Jones & Henry Engineers, Ltd. in the amount of \$29,240.00 for the design and engineering of the removal and replacement of underground storage tanks with above-ground storage tanks conforming to the plans and specifications established by the quote.

Section 2: The Finance Director is authorized to pay the costs of the contract from Section 1 from Line 590-540-52-973004 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 time is of the essence to bring the storage tanks at the WPC plant into compliance with state regulations. 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 REBUILD OF A TANK GEAR FOR THE WATER POLLUTION CONTROL PLANT AND DECLARING AN EMERGENCY

WHEREAS, the main tank gear of one of the final clarifiers at the Water Pollution Control ("WPC") Plant has developed a leak and can no longer hold oil; and,

WHEREAS, the WPC Superintendent contacted the product manufacturer, Walker Process Equipment of Aurora, IL, and that firm submitted a quote to rebuild the entire gear drive at \$29,950.00; and,

WHEREAS, Council finds, upon the recommendation of the WPC Superintendent, that this expenditure is critical to maintaining a functioning WPC system;

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 Walker Process Equipment for the rebuild of the tank gear drive at the southeast final clarifier in the amount of \$29,950.00 and conforming to the plans and specifications established by the above-referenced quote.

Section 2: The costs of these services and any necessary components shall under no circumstances exceed \$50,000.00.

Section 3: The Finance Director is authorized to pay the costs of the contract from Sections 1 and 2 from Line 590-540-52-935030 of the 2022 annual budget.

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 quote provided is only valid for thirty (30) days. Immediate execution of this contract is necessary to prevent price increases. 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 THE PURCHASE OF PLAYGROUND EQUIPMENT FOR KINGSBURY PARK FROM LANDSCAPE STRUCTURES, INC. AND DECLARING AN EMERGENCY

WHEREAS, the City is the recipient of \$49,836.00 in grant funding from the Ohio Department of Natural Resources ("ODNR") NatureWorks program and \$20,000.00 from the Defiance Area Foundation ("DAF") for new playground equipment at Kingsbury Park; and,

WHEREAS, an appropriation of \$145,896.00 is necessary for the purchase of some of this playground equipment from Landscape Structures, Inc. of Minneapolis, MN; and,

WHEREAS, Council finds that the purchase of this playground equipment for Kingsbury Park is necessary to replace aging and outdated equipment and continue the momentum that the City has achieved in improving its parks;

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 contract with Landscape Structures, Inc. for the purchase of playground equipment in the amount of \$145,896.00 and according to the specifications from the proposal dated August 5, 2022.

Section 2: The Finance Director is authorized to pay the purchase price from appropriated funds allocated by expenditure from Line 403-901-52-955012 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 quote provided is only valid for thirty (30) days or prices are apt to increase. 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 THE PURCHASE OF PLAYGROUND EQUIPMENT FOR KINGSBURY PARK FROM PENCHURA, LLC AND DECLARING AN EMERGENCY

WHEREAS, the City is the recipient of \$49,836.00 in grant funding from the Ohio Department of Natural Resources ("ODNR") NatureWorks program and \$20,000.00 from the Defiance Area Foundation ("DAF") for new playground equipment at Kingsbury Park; and,

WHEREAS, an appropriation of \$38,327.59 is necessary for the purchase of some of this playground equipment from Penchura, LLC of Brighton, MI; and,

WHEREAS, Council finds that the purchase of this playground equipment for Kingsbury Park is necessary to replace aging and outdated equipment and continue the momentum that the City has achieved in improving its parks;

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 contract with Penchura, LLC for the purchase of playground equipment in the amount of \$38,327.59 and according to the specifications from the proposal dated August 5, 2022.

Section 2: The Finance Director is authorized to pay the purchase price from appropriated funds allocated by expenditure from Line 403-901-52-955012 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 quote provided is only valid for thirty (30) days or prices are apt to increase. 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