

NOTICE OF PROCEEDINGS
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 FEBRUARY 5, 2019
OPENING COMMENTS – 7:00 P.M.

SPECIAL GUEST: NONE

PUBLIC HEARING: DOLORES WHITMAN – DEMOCRACY DAY (5MINS) – RULE 12.1 (9) MATTER OF PUBLIC INTEREST

SECOND READING: AN ORDINANCE VACATING AN ALLEY IN THE FIRST ADDITION TO THE CITY OF DEFIANCE, OHIO

FIRST READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT LOTS 46 THROUGH 50 IN THE SUBDIVISION OF LOTS BETWEEN OTTAWA AVENUE AND KARNES ROAD AND APPROPRIATING FUNDS FOR THAT PURPOSE

FIRST READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF PORTABLE RADIOS, SPEAKERS, MICROPHONES, AND RELATED EQUIPMENT FOR THE FIRE DIVISION AND DECLARING AN EMERGENCY

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

STUDY SESSION: KIRSTIE MACK (DDVB) & CHRIS VAN SCODER (CHAMBER OF COMMERCE) UPDATE ON PLANS FOR THE CLOSING OF THE BRIDGE AND SPECIAL OPPORTUNITIES FROM ACTIVITIES EXPERIMENTING WITH TRAFFIC FLOW

COMMITTEE ASSIGNMENTS	TIME	DATE (2019)	AGENDA
▷SEWER: LUNDBERG , Krutsch, Plant	7:00 P.M.	Tuesday - FEBRUARY	NO MEETING
▷STREETS & SIDEWALK: HANCOCK , Eureste, Krutsch	7:00 P.M.	Tuesday - FEBRUARY	NO MEETING
▷UTILITIES, GAS & LIGHTS: PLANT , Waxler, Lundberg	7:00 P.M.	Tuesday – FEBRUARY	NO MEETING
▷POLICE & FIRE: WAXLER , Hancock, Engel	7:00 P.M.	Tuesday - FEBRUARY	NO MEETING
▷TRAFFIC COMMISSION: LEONARD , Mayor, Cereghin, Shafer, Wilkins, Sprow, Waxler, Eureste, Krutsch	5:00 P.M.	Tuesday - FEBRUARY	NO MEETING
▷FINANCE: LUNDBERG , Hancock, Plant	7:00 P.M.	Tuesday – FEBRUARY	NO MEETING
▷BUILDING AND LANDS: ENGEL , Eureste, Waxler	7:00 P.M.	Tuesday – FEBRUARY	NO MEETING
▷WATER: KRUTSCH , Eureste, Engel	7:00 P.M.	Tuesday - FEBRUARY	NO MEETING
▷ECONOMIC DEVELOPMENT: EURESTE , Krutsch, Waxler	7:00 P.M.	Tuesday – FEBRUARY 26	AN OVERVIEW PRESENTED BY JERRY HAYES ON WHY THE 6 BENCHMARKS ARE IMPORTANT TO THE ECONOMIC DEVELOPMENT PROCESS IN OUR COMMUNITY
▷PUBLIC RELATIONS: PLANT , Lundberg, Hancock	7:00 P.M.	Tuesday – FEBRUARY	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 AN ALLEY IN THE FIRST ADDITION TO THE CITY OF DEFIANCE, OHIO

WHEREAS, the City received a petition to vacate the alley between Front Street and Third Street between Lots One (1) through Eighteen (18), inclusive, in the First Addition to the City of Defiance, Ohio; and,

WHEREAS, the Planning Commission heard the petition at the January 21, 2019 public hearing; and,

WHEREAS, the subject alley is unimproved and unpaved with no public or private utilities located within the petitioned area; 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 11' North to South alley lying between Lots One (1) through Eighteen (18), inclusive, in the First Addition to the City of Defiance, Ohio, as more fully described and depicted by the plat, survey, and legal description now on file in the office of the Law Director, is hereby vacated.

Section 2: The Law Director is directed to record a copy of this Ordinance to document the vacation of all public rights 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: _____, 2019

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2019

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT LOTS 46 THROUGH 50 IN THE SUBDIVISION OF LOTS BETWEEN OTTAWA AVENUE AND KARNES ROAD AND APPROPRIATING FUNDS FOR THAT PURPOSE

WHEREAS, the City seeks to acquire property to develop a neighborhood park and install infrastructure in the surrounding neighborhood from funds obtained from a Community Development Block Grant (“CDBG”); and,

WHEREAS, the CDBG award will enable the City to make \$1,167,008.00 worth of flood and drainage, parks and recreation, street and sidewalk and water facility improvements to the neighborhood along Karnes Road; and,

WHEREAS, the target properties are located at Karnes Road, Defiance, Ohio 43512 and is identified by the Defiance County Auditor as Permanent Parcel Numbers B01-4164-0-005-00, B01-4164-0-004-00, B01-4164-0-003-00, B01-4164-0-002-00, and B01-4164-0-001-00; and,

WHEREAS, the City desires to enter into a contract to purchase the real property for the amount of \$150,000.00; and

WHEREAS, a donor who wishes to remain anonymous is willing to contribute \$75,000.00 towards this real estate purchase; and,

WHEREAS, Council finds that fee simple ownership of this property will enable the City to revitalize the park and surrounding neighborhood, as well as uphold the infrastructure pillar of the Defiance Community Strategic Plan;

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 the owner of the real property located at Karnes Road and identified as Permanent Parcel Numbers B01-4164-0-005-00, B01-4164-0-004-00, B01-4164-0-003-00, B01-4164-0-002-00, and B01-4164-0-001-00 at a purchase price of \$150,000.00.

Section 2: The conveyance of a general warranty deed from the real property owner is hereby accepted.

Section 3: The Finance Director is authorized to pay the purchase price of \$150,000.00, plus all settlement charges, closing costs, title insurance premiums, and prorated real property taxes to the date of closing from Line 403-901-5-2-920.008 of the 2019 annual budget for which a supplemental appropriation in that amount is hereby made.

Section 4: All municipal officers are authorized to take such actions as may be necessary or appropriate to secure marketable title to the real property and record the ownership interest of the municipality with the Recorder of Defiance County, Ohio.

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 AUTHORIZING THE PURCHASE OF PORTABLE
RADIO, SPEAKERS, MICROPHONES, AND RELATED EQUIPMENT
FOR THE FIRE DIVISION AND DECLARING AN EMERGENCY**

WHEREAS, the Ohio State Fire Marshall awarded a Multi-Agency Radio Communication System (“MARCS”) Grant to the City for the purchase of fifteen (15) portable radio sets, speakers, microphones, and accessories, as well as a three-year service plan from Motorola Solutions Inc.; and,

WHEREAS, the MARCS equipment will replace the current analog communications system with digital technology and will improve interoperability with other local, state, and federal emergency response agencies; and,

WHEREAS, the cost of this equipment at the State Term Schedule is \$47,320.50 and does not exceed the amount that triggers competitive bidding requirements; and,

WHEREAS, Council finds that this acquisition enhances the safety of residents and improves the quality of emergency response services at the local, state, and federal levels;

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

Section 1: The City Administrator is directed to contract for the purchase of fifteen (15) portable radio sets, speakers, microphones, and accessories, plus a three-year service plan, from Motorola Solutions, Inc. at the quoted price of \$47,320.50.

Section 2: The Finance Director is authorized to pay the contract price in Section 1 from funds allocated for the purchase by Line 792-336-5-2-730.005 of the 2019 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 new communication equipment will fully implement the MARCS capabilities into emergency vehicles. 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