

ORDINANCE NO. 8119

AN ORDINANCE AUTHORIZING RENEWAL OF A LEASE AGREEMENT FOR THE ARMORY BUILDING PROPERTY LOCATED AT 644 CLINTON STREET AND DECLARING AN EMERGENCY

WHEREAS, Council authorized a lease agreement with the Northwestern Ohio Community Action Commission (“N.O.C.A.C.”) for the parcels located at 644 Clinton Street in Ordinance No. 5913 on April 14, 1998; and,

WHEREAS, N.O.C.A.C. manages a federally-funded pre-kindergarten program for children from low-income families commonly referred to as “Head Start”; and,

WHEREAS, Article II, Section 2.12(11) of the Charter assigns Council with the authority to lease real property; and,

WHEREAS, the proposed agreement is for a term of six (6) years, backdated to May 1, 2018, and continues on a year-over-year basis after June 30, 2024; and,

WHEREAS, Council finds that the provision of facilities for the Head Start Program supports the Education Pillar of the Defiance Community Strategic Plan by promoting school readiness for young children prior to attaining the age of five (5) years;

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

Section 1: The City Administrator is directed to execute the Lease Agreement between the City and N.O.C.A.C. currently on file in the office of the Law Director.

Section 2: The City Administrator is further authorized to take any and all action required by the terms of the Lease Agreement, including the commencement of any action to enforce all legal and equitable rights afforded thereunder.

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 Lessee requires this Agreement to take immediate effect in order to remain eligible for funding under Title 42 of the United States Code. 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: April 9, 2019 David McMaster
President of Council

Votes in Favor of Adoption: 7
Votes Opposed to Adoption: _____

Attest: Lisa Elders, Clerk

Approved: April 9, 2019 Michael McCann
Mayor