

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 3, 2023
OPENING COMMENTS – 7:00 P.M.

PUBLIC HEARING: NONE

SPECIAL GUEST: PROCLAMATION FROM MAYOR MCCANN TO MR. PESSEFALL – COMMUNITY SANTA CLAUS 2009

THIRD READING: AN ORDINANCE VACATING THE RIGHT-OF-WAY BETWEEN LOTS 53 THROUGH 65 IN THE OTTAWA TERRACE ADDITION TO THE CITY OF DEFIANCE AND EASTSIDE PARK AS AMENDED

FIRST READING: AN ORDINANCE AUTHORIZING A CONTRACT FOR THE DOWNTOWN – CLINTON STREET CORRIDOR PEDESTRIAN IMPROVEMENTS AND DECLARING AN EMERGENCY

STUDY SESSION: WATER/SEWER RATES

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

LIAISON ASSIGNMENTS	TIME P.M.	DATE (2023)	AGENDA
COMMITTEE OF A WHOLE McMASTER	7:00	Tuesday - OCTOBER	NO MEETING
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. Sprague	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 THE RIGHT-OF-WAY BETWEEN LOTS 53 THROUGH 65 IN THE OTTAWA TERRACE ADDITION TO THE CITY OF DEFIANCE AND EASTSIDE PARK AS AMENDED

WHEREAS, the City received a petition to vacate the right-of-way between Lots 53 through 65 in the Ottawa Terrace Addition to the City of Defiance and Lot 6 and Lot 50 of the Lots between Ottawa and Karnes Avenue in Defiance, Ohio; and,

WHEREAS, the Planning & Zoning Commission heard the petition at the August 21, 2023 public hearing and voted to recommend the right-of-way vacation to City Council; and,

WHEREAS, the subject right-of-way contains utilities that are subject to easements; and,

WHEREAS, Council finds good cause for vacating the right-of-way 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 east-west right-of-way between Lots 53 through 65 in the Ottawa Terrace Addition to the City of Defiance and Lot 6 and Lot 50 of the Lots between Ottawa and Karnes Avenue in Defiance, Ohio south of Haig Street is hereby vacated.

Section 2: No part of the existing shared use path connecting Ottawa Avenue to the Eastside Park shall be vacated and the City shall retain any paved or improved portion of pavement or adjacent landscaping as public right-of-way.

Section 3: 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 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 shall be effective on the earliest date permitted by law.

Passed: _____, 2023 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2023 _____
Mayor

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING A CONTRACT FOR THE DOWNTOWN
– CLINTON STREET CORRIDOR PEDESTRIAN IMPROVEMENTS AND
DECLARING AN EMERGENCY**

WHEREAS, Council authorized the entry of a Local Public Agency Federal Local-Let Project Agreement and Consultant Agreement for the implementation of pedestrian safety improvements in the downtown corridor in Ordinance No. 8491 on March 14, 2023; and,

WHEREAS, this corridor had five automobile – pedestrian collisions in 2022; and,

WHEREAS, the Ohio Department of Transportation (“ODOT”) awarded the City with an Abbreviated Safety Funds grant with a ten percent local match to make the pedestrian safety improvements; and,

WHEREAS, the City Engineer solicited competitive bids and Perram Electric, Inc. of Wadsworth, OH submitted the lowest and best bid of \$123,250.00, below the Engineer’s estimate of probable costs; and,

WHEREAS, Council finds it necessary to implement the improvements in order to increase the safety of pedestrians and to promote resiliency and economic growth of local businesses;

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 Perram Electric, Inc. to complete the 2023 Downtown Pedestrian Improvements Project No. 2309 according to the specifications on file with the City Engineer and according to the successful bid dated September 19, 2023 at the total price of \$123,250.00.

Section 2: The Finance Director is authorized to pay the contract price from Section 1 from appropriated funds allocated by expenditure from Line 403-901-52-980986 of the 2023 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. 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: _____, 2023

President of Council

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

Attest: _____, Clerk

Approved: _____, 2023

Mayor