

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 JANUARY 25, 2022
OPENING COMMENTS – 7:00 P.M.

PUBLIC HEARING: NONE

SPECIAL GUEST: NORTHWEST OHIO MEDICAL FREEDOM – VACCINE OR TESTING POLICY IMPLEMENTED BY DEFIANCE LIBRARY

SECOND READING: AN ORDINANCE VACATING A RIGHT-OF-WAY BETWEEN LOTS 21 AND 22 OF THE NORTH DEFIANCE ADDITION

FIRST READING: AN ORDINANCE AMENDING THE DISTRICT MAP TO REZONE PROPERTY LOCATED IN NOBLE TOWNSHIP FROM O-R, OFFICE-RESIDENTIAL DISTRICT TO B-3, HIGHWAY AND GENERAL BUSINESS DISTRICT

FIRST READING: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO MAKE APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE OTTAWA AVENUE MULTI-USE PATH AND TO ENTER INTO AN AGREEMENT TO SECURE THOSE FUNDS

FIRST READING: AN ORDINANCE AUTHORIZING THE PURCHASE OF A REPLACEMENT SQUAD AMBULANCE

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 – JANUARY 25	UPDATE ON THE SEWER PROGRAM AND FIRE OPERATIONS
BUILDING & LANDS EURESTE	7:00	Tuesday - JANUARY	NO MEETING
ECONOMIC DEVELOPMENT ENGEL	7:00	Tuesday - JANUARY	NO MEETING
FINANCE & BUDGET HANCOCK	7:00	Tuesday – JANUARY	NO MEETING
POLICE & FIRE KRUTSCH	7:00	Tuesday - JANUARY	NO MEETING
PUBLIC RELATIONS MAST	7:00	Tuesday - JANUARY	NO MEETING
PUBLIC UTILITIES, GAS & LIGHTS CORBITT	7:00	Tuesday – JANUARY	NO MEETING
SEWER & SANITATION CORBITT	7:00	Tuesday – JANUARY	NO MEETING
STREETS & SIDEWALKS MAST	7:00	Tuesday - JANUARY	NO MEETING
WATERWORKS – SERVICE WAXLER	7:00	Tuesday – JANUARY	NO MEETING
TRAFFIC COMMISSION: LEONARD. Mack. Mayor. Cereghin. Shafer. Wilkins. Sprow. Waxler. Eureste. Krutsch	5:30	Tuesday – JANUARY	NO MEETING
BOARD OF CONTROL MEETING: MAYOR. Leonard. O’Donnell. Lehner. Mack	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 21
AND 22 OF THE NORTH DEFIANCE ADDITION**

WHEREAS, the City received a petition to vacate the right-of-way adjacent to and adjoining Lot Nos. twenty-one (21) and twenty-two (22) in the North Defiance Addition to the City of Defiance, Ohio; and,

WHEREAS, the Planning & Zoning Commission heard the petition at the December 20, 2021 public hearing and voted unanimously to recommend the right-of-way vacation; and,

WHEREAS, the subject right-of-way contains no public or private utilities; 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. twenty-one (21) and twenty-two (22), or Permanent Parcel Nos. B01-3122-0-007-00 and B01-3122-0-008-00, in the North Defiance Addition to the City of Defiance, OH (403 W. High 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: _____, 2022

President of Council

Attest: _____, Clerk

Approved: _____, 2022

Mayor

Ordinance No. _____

**AN ORDINANCE AMENDING THE DISTRICT MAP TO REZONE
PROPERTY LOCATED IN NOBLE TOWNSHIP FROM O-R, OFFICE-
RESIDENTIAL DISTRICT TO B-3, HIGHWAY AND GENERAL BUSINESS
DISTRICT**

WHEREAS, the property owner of the address at 1018 Ralston Avenue and identified by Permanent Parcel Number I060023000200 and attached as "Exhibit A" filed a petition seeking a zoning map amendment from an O-R, Office - Residential District to a B-3, Highway and General Business District; and,

WHEREAS, the Planning Commission caused proper notice of the requested change to be published and served as required by law, considered the merits of the request in open public meeting, and recommended that the requested change be granted; and,

WHEREAS, Council convened a properly advertised Public Hearing on January 4, 2022 to consider the recommendation of the Planning Commission and heard no objections to the proposed zoning change; and,

WHEREAS, Council concurs with the recommendation of the Planning Commission and finds the map amendment to aid the parcel in achieving its highest and best use;

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

Section 1: All property identified by Permanent Parcel Number I060023000200 identified in "Exhibit A" is hereby zoned B-3, Highway and General Business District.

Section 2: The Clerk of the Planning Commission and the Zoning Commissioner are directed to change the District Map as required to implement the change in zoning district designation enacted by this Ordinance.

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: _____, 2022 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2022 _____
Mayor



ITEM 1: REZONING REQUEST & SITE PLAN REVIEW

PROJECT LOCATION: 1018 RALSTON AVENUE, DEFIANCE, OH 43512.

APPLICANT: JAY PATEL, 675 CLEVELAND AVENUE, DEFIANCE, OH 43512.

Description:

Parcel 106-0023-0-002-00, location is being part of the Southwest corner, Section 14, Town Four North, Range Four East in Noble Township, Defiance County, OH. Applicant is requesting to rezone 0.552 acres from O-R: Office-Residential to B-3: Highway and General Business District

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO MAKE APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE OTTAWA AVENUE MULTI-USE PATH AND TO ENTER INTO AN AGREEMENT TO SECURE THOSE FUNDS

WHEREAS, the Ohio Department of Transportation ("ODOT") administers the Transportation Alternatives Program ("TAP") which provides funding to local governments for pedestrian projects; and,

WHEREAS, the City desires to construct and upgrade sidewalks and shared use paths along both sides of Ottawa Avenue (State Route 15) in order to fill gaps in pedestrian facilities and make one continuous pedestrian connection from E. Second Street to Greenbriar Lane near the southern municipal boundary; and,

WHEREAS, Codified Ordinance §137.02 delegates continuing authority to the City Administrator to supervise the improvement of sidewalks and the construction of public improvements and public works; and,

WHEREAS, Council finds that construction of a sidewalk at this location promotes the health and welfare of the community because it will offer a safe pedestrian route along the Ottawa Avenue corridor; and,

WHEREAS, ODOT would fund ninety-five percent (95%) of the project, less the engineering costs, and the City would be responsible for five percent (5%) of the project for a total estimated project cost of \$617,000.00;

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

Section 1: The authority delegated to the City Administrator by Codified Ordinance §137.02 is ratified and confirmed and he is hereby authorized to prepare and submit all documents now, or hereafter required, to make application for and accept funds from the ODOT TAP to include, without limitation, all grant applications deemed necessary or appropriate to such transactions for construction of pedestrian improvements, including sidewalks and shared use paths, along Ottawa Avenue on behalf of the City of Defiance, Ohio.

Section 2: The City Administrator is further authorized to execute and deliver all contracts, agreements, program compliance covenants, and other documents as may be appropriate to secure TAP funding from ODOT.

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 grant application deadline is January 31, 2022. 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 A REPLACEMENT SQUAD AMBULANCE

WHEREAS, the City intends to replace a 2003 model ambulance with a 2022 Ford F-550 diesel four-by-four chassis vehicle; and,

WHEREAS, the City has found a quote from the State Term Schedule ("STS") from Penncare, Inc. that adheres to this schedule in the amount of \$268,964.00; and,

WHEREAS, the Ohio Department of Administrative Services procured the item at a competitive rate through the Cooperative Purchasing Program;

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

Section 1: The City Administrator is authorized to contract for the assembly of one 2022 Ford-550 diesel four-by-four chassis ambulance vehicle and all accessory equipment specified by the Penncare, Inc. quotation on file with the Fire Chief through the Ohio Department of Administrative Services Cooperative Purchasing Program (State Term Schedule 233) and at the quoted price of \$268,964.00.

Section 2: Payments for the squad vehicle are not due until 2023. The Finance Director is thereby authorized to pay the contract price from funds allocated for the replacement of Squad 212 from 2023 annual budget for capital improvements.

Section 3: Upon delivery and acceptance of the replacement ambulance, the City Administrator is authorized to sell Squad 212 as municipal surplus in accordance with Codified Ordinance 151.04(b).

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: _____, 2022 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2022 _____
Mayor