

Ordinance No. _____

AN ORDINANCE AMENDING SECTION 1169.10(D)(8) OF THE CODIFIED ORDINANCES OF THE CITY OF DEFIANCE, OHIO BY RESTRICTING DROP-OFF BOXES

WHEREAS, Council is concerned with the aesthetic harm and threat to health and safety presented by the increasing number of drop-off boxes that are not maintained in the municipality; and,

WHEREAS, Council finds that amending the Codified Ordinances to curtail the number of drop-off boxes would enhance the quality of life for, and property values of, City residents;

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

Section 1: Section 1169.10(D)(8) of the Codified Ordinances of the City of Defiance, Ohio is hereby amended to provide (deleted text stricken, newly added text underlined):

1169.10 ACCESSORY USE AND STRUCTURE REGULATIONS.

(d) Accessory Use-Specific Standards...

(8) Drop-Off Boxes. ~~Drop-off boxes and dumpster style recycling collection containers for public use are permitted in accordance with the following standards:~~

~~— A. A drop-off box may be located in any yard area, but shall not be located in any area that is required to be landscaped.~~

~~— B. Drop-off boxes must be placed on a hard paved surface and located outside of driveways and parking spaces required in conformance with Chapter 1175 Parking, Loading and Mobility Standards.~~

~~— C. Drop-off boxes must either be enclosed per the requirements of Section 1177.06 Screening Requirements or kept in a clean, new appearing condition. Drop-off boxes which are not kept within an enclosure shall not have dents, any deformation to the outside painted surface, any dirt or residue on the outside surface, graffiti, etc.~~

~~— D. If two or three drop-off boxes are kept on a site, all boxes shall be kept within a common enclosure in conformance with Section 1177.06 Screening Requirements. The common enclosure for multiple boxes shall not be located in any area that is required to be landscaped, nor shall it be located in front yard or corner side yard areas. No more than three boxes may be kept on a single site.~~

~~— E. Each drop-off box shall be limited in size to 10 cubic yards and shall have a lid.~~

A. Drop-off boxes that are not collection facilities for recyclable materials are not permitted within the municipal boundaries.

B. Effective January 1, 2021, any drop-off box and its contents left on property that is not otherwise exempted by Subsection (C) shall be deemed abandoned property and may be removed and disposed of by the City at the expense of the owner. The City may pursue costs and expenses for such removal as a lien upon the property to be collected as other taxes in accordance with Section 715.261 of the Ohio Revised Code.

C. Notwithstanding Subsection (A), an organization that is charitable, religious, educational, scientific, literary, public-safety oriented, dedicated to amateur sports competition, or dedicated to preventing the cruelty to children or animals may place up to three (3) drop-off boxes on real property that the organization owns, leases, or occupies and maintains a physical presence provided that the placement of the drop-off box complies with the screening requirements contained in Section 1177.06, the Municipal Fire Code contained in Chapter 1501 of the Codified Ordinances of Defiance, Ohio, and the Ohio Fire Code (O.A.C. §1301:7-7).

~~F.D. Recycling collection containers for private, on-site use only are considered trash and/or garbage collection areas and are subject to the provisions of Subsection 1169.10(d)(9) Dumpsters.~~

E. "Physical presence" for the purpose of this ordinance means the maintenance of an existing building or structure from which the organization operates and staffs on a frequency of at least once per week.

F. "Recyclable materials" for the purpose of this ordinance means objects that a waste removal company is contracted to collect for reuse or alteration to a new function.

Section 2: 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 3: This Ordinance shall be effective on the earliest date permitted by law.

Attest: _____, Clerk

Approved: _____, 2020

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF MUNICIPAL PROPERTY LOCATED AT RIVER STREET TO THE COMMUNITY IMPROVEMENT CORPORATION

WHEREAS, the City hopes to construct a new, secure vehicle impound lot to hold evidence in pending criminal cases; and,

WHEREAS, the City desires to sell the existing impound lot and apply the proceeds towards the construction of the new facility at a different location owned by the City; and,

WHEREAS, Section 721.28 of the Ohio Revised Code authorizes a municipal corporation to transfer, lease, or convey any real property for urban redevelopment or renewal *without competitive bidding*; and,

WHEREAS, the Community Improvement Corporation ("CIC") is willing to hold the property until an end user can accept the property and convert it to commercial use; and,

WHEREAS, Council finds that the proposed plan and transfer advances the Economic Development Pillar of the Defiance Community Strategic Plan by converting vacant City property into productive use by the private sector;

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

Section 1: The sale of the property identified as Defiance County Auditor's Parcel Numbers B01-2103-0-008-00 and B01-2103-0-009-00 to the CIC is hereby authorized in the amount of \$20,000.00, plus the cost of any title insurance policy, attorney's fees, recording fees, and any other fees incidental to closing.

Section 2: The Finance Director is authorized to pay the City's share of attorney's fees and recording fees from appropriated funds allocated by expenditure from Line 101-172-52-963000 of the 2020 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 shall be effective on the earliest date permitted by law.

Passed: _____, 2020

President of Council

Attest: _____, Clerk

Approved: _____, 2020

Mayor

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF FOUR NETWORK SERVERS AND RELATED COMPONENTS AND DECLARING AN EMERGENCY

WHEREAS, one prong of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") of 2020 provides funding for state, local, and tribal government expenditures that:

- are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019;
- were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government;
- were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and,

WHEREAS, Council identifies the replacement and addition of communications and storage equipment as a necessary expenditure to handle the increased virtual meetings and remote work; and,

WHEREAS, Council finds it necessary to use Dell as a sole source provider of this equipment due to the fact that the existing network already runs on this equipment;

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

Section 1: The City Administrator is directed to purchase four (4) Dell Power Edge 490 servers and related components for the amount of \$66,605.96 and according to the quote on file with the City Network Administrator.

Section 2: The Finance Director is authorized to pay the contract price from Section 1 from CARES Act funds out of Line 230-198-52-730006 of the 2020 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 City must spend all CARES Act funds by December 30, 2020 or return the funds. 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: _____, 2020

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2020

Mayor

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR AND DECLARING AN EMERGENCY

WHEREAS, Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") funding is available for the City to purchase new emergency equipment; and,

WHEREAS, Stryker Corporation submitted a quote for the City to trade in an existing defibrillator and obtain a new one for \$26,224.54; and,

WHEREAS, Council finds that this purchase is a necessary update to City emergency equipment that meets the CARES Act funding criteria;

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

Section 1: The City Administrator is directed to purchase a Stryker LifePak V4 defibrillator and accessories at the quoted, discounted price of \$26,224.54 according to the specifications of the quote on file with the Fire Chief.

Section 2: The Finance Director is authorized to pay the contract price from Section 1 from CARES Act funds out of Line 230-198-52-730006 of the 2020 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 City must spend all CARES Act funds by December 30, 2020 or return the funds. 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: _____, 2020

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2020

Mayor