

**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 FEBRUARY 4, 2020  
OPENING COMMENTS – 7:00 P.M.

SPECIAL GUEST: NONE

PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE AMENDING SECTIONS 505.01 AND 505.15 OF THE CODIFIED ORDINANCES OF THE CITY OF DEFIANCE, OHIO

FIRST READING: AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR A PEDESTRIAN CONNECTION DESIGN ON OTTAWA AVENUE AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING THE MUNICIPALITY TO ENTER INTO AN AGREEMENT FOR COLLECTION OF UNPAID FINES AND COURT COSTS WITH THE OHIO ATTORNEY GENERAL

STUDY SESSION: NONE

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

COMMITTEE ASSIGNMENTS	TIME P.M.	DATE (2020)	AGENDA
BUILDING & LANDS <b>KRUTSCH.</b> Eureste. Mast	7:00	Tuesday - FEBRUARY	NO MEETING
ECONOMIC DEVELOPMENT <b>EURESTE.</b> Krutsch. Waxler	7:00	Tuesday - FEBRUARY	NO MEETING
FINANCE & BUDGET <b>ENGEL.</b> Corbitt. Hancock	7:00	Tuesday – FEBRUARY	NO MEETING
POLICE & FIRE <b>HANCOCK.</b> Corbitt. Waxler	7:00	Tuesday - FEBRUARY	NO MEETING
PUBLIC RELATIONS <b>CORBITT.</b> Hancock. Mast	5:00	Tuesday - FEBRUARY	NO MEETING
PUBLIC UTILITIES, GAS & LIGHTS <b>MAST.</b> Engel. Hancock	7:00	Tuesday – FEBRUARY	NO MEETING
SEWER & SANITATION <b>WAXLER.</b> Corbitt. Engel	7:00	Tuesday – FEBRUARY	NO MEETING
STREETS & SIDEWALKS <b>EURESTE.</b> Krutsch. Mast	7:00	Tuesday - FEBRUARY	NO MEETING
WATERWORKS – SERVICE <b>ENGEL.</b> Krutsch. Waxler	7:00	Tuesday – FEBRUARY	NO MEETING
TRAFFIC COMMISSION: <b>LEONARD.</b> Mayor. Cereghin. Shafer. Wilkins. Sprow. Waxler. Eureste. Krutsch	7:00.	Tuesday – FEBRUARY	NO MEETING
BOARD OF CONTROL MEETING: <b>MAYOR.</b> 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 AMENDING SECTIONS 505.01 AND 505.15 OF THE CODIFIED ORDINANCES OF THE CITY OF DEFIANCE, OHIO

**WHEREAS**, Council heard testimony on the need to permit service animals in all residential districts of the City; and,

**WHEREAS**, Council finds it necessary to amend the Codified Ordinances to allow for certain specially-trained animals to alleviate the suffering of individuals with disabilities;

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

**Section 1:** Sections 505.01 and 505.15 of the Codified Ordinances of the City of Defiance, Ohio are hereby amended to provide (deleted text ~~stricken~~, newly added text underlined):

### 505.01 DEFINITIONS.

As used in this chapter:

(a) "Animal" means any member of a species of the animal kingdom, domesticated and wild, male and female, singular and plural.

(b) "At large" means off the premises of the owner keeper and not under the immediate and reasonable control of some person.

(c) "Keeper" means any person who exerts or has exerted control over any animal and includes, without limitation; any person temporarily housing or caring for an animal owned by another with permission of the owner and any person who harbors an animal that has no known owner by furnishing it with food, water, shelter, veterinary care or other subsistence.

(d) "Service animal" means any domesticated animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

### 505.15 KEEPING SWINE, SHEEP AND GOATS.

(a) No person shall keep any hog, sheep or goat without first having obtained a permit therefor from the City Administrator. This permit may be revoked at any time by the City Administrator.

(b) Except as otherwise provided in this section, no person shall keep more than one hog, sheep or goat at any one time, in any pen or enclosures, on any premises, lot or parcel of land in the City. With the exception of a "service animal" as defined in this chapter, no ~~No~~ such animals shall be kept in any enclosure within 150 feet of any occupied dwelling house in the City.

(c) Each pen for such animals shall have a floor of wood or stone and shall be undercover. The City Administrator may grant permission, subject to revocation for just cause, to keep a greater number of swine, sheep or goats in parts of the City more remote from the thickly settled districts, or in agricultural areas. With the exception of a "service animal" as defined in this chapter, no ~~No~~ such animals shall be kept in any enclosure within 150 feet of any occupied dwelling house in the City.

(d) Whoever violates any of the provisions of this section is guilty of a minor misdemeanor.

**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.

Passed: \_\_\_\_\_, 2020

\_\_\_\_\_  
President of Council

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2020

\_\_\_\_\_  
Mayor

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR A PEDESTRIAN CONNECTION DESIGN ON OTTAWA AVENUE AND DECLARING AN EMERGENCY**

**WHEREAS**, the City is emphasizing a revitalization of the Ottawa Avenue gateway on the southeast section of the City limits; and,

**WHEREAS**, Council accepted real property interests for this revitalization along the intersection of Cleveland Avenue and Ottawa Avenue in Ordinance Nos. 8159, 8170, and 8193; and,

**WHEREAS**, the City desires to construct a ten-foot wide shared use path from the Cleveland Avenue/Ottawa Avenue roundabout to Greenbriar Lane; and,

**WHEREAS**, the Mannik & Smith Group, Inc. submitted a design proposal for the path in the amount of \$37,682.00 in accordance with Section 151.03(d) of the Codified Ordinances of Defiance, Ohio; and,

**WHEREAS**, Council finds that the completion of this design and subsequent construction of the shared use path will improve the connectivity of the East Side Neighborhood;

**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 professional services agreement with the Mannik & Smith Group, Inc. for the Ottawa Avenue Multi-Use Path Phase Two Project No. 2002 according to the scope of services agreement on file with the City Engineer and at the quoted price of \$37,682.00.

**Section 2:** The Finance Director shall pay the contract price from Section 1 from appropriated funds allocated by expenditure from Line 403-901-52-980874 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 immediate execution of this agreement is necessary to align the timing of the construction of this shared use path with the construction of the Cleveland Avenue/Ottawa Avenue roundabout project. This correlated timing will result in cost savings for the City. 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 MUNICIPALITY TO ENTER INTO AN AGREEMENT FOR COLLECTION OF UNPAID FINES AND COURT COSTS WITH THE OHIO ATTORNEY GENERAL**

**WHEREAS**, the Defiance Municipal Court assesses punitive fines and court costs for criminal and traffic convictions; and,

**WHEREAS**, the Court is looking for a reliable method of collecting these accounts receivable and desires to use the services of the Ohio Attorney General for collection; and,

**WHEREAS**, Section 131.02(A) of the Ohio Revised Code authorizes a political subdivision of the State to certify an amount due to the attorney general for collection; and,

**WHEREAS**, the Ohio Attorney General requires a representative of the political subdivision and the political subdivision legal authority to sign a "Delinquent Debt Collection Agreement"; and,

**WHEREAS**, Section 151.02 requires Council approval for all contracts in excess of \$25,000.00; and,

**WHEREAS**, Council finds this arrangement necessary to enforce Court Orders and the Rule of Law;

**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 the Delinquent Debt Collection Agreement on behalf of the City Council with the Ohio Attorney General.

**Section 2:** The Law Director is authorized to certify the legal sufficiency of the agreement with his signature.

**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