

Ordinance No. _____

AN ORDINANCE ACCEPTING THE ANNEXATION OF 104.335 ACRES OF LAND LOCATED IN SECTION 7, RICHLAND TOWNSHIP, DEFIANCE COUNTY, OHIO

WHEREAS, Carolyn Fortman filed a Petition seeking to annex 104.335 acres of land located in Section 7, Richland Township, Defiance County, Ohio, to the City of Defiance; and,

WHEREAS, R.C. §709.04 requires the legislative authority of a municipality to accept or reject the petition for annexation within sixty (60) days of delivery of the resolution of the Board of County Commissioners approving annexation; and,

WHEREAS, sixty (60) days have elapsed since the Clerk of City Council received the resolution of the Board of Commissioners of Defiance County, Ohio and the Clerk of Council has made the Transcript of Proceedings and related documents available for public inspection in the manner and for the time required by law; and,

WHEREAS, Council finds that acceptance of the territory is in the best interests of the City and may further the Economic Development Pillar of the Defiance Community Strategic Plan;

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

Section 1: The Petition of Carolyn Fortman to annex 104.335 acres of land located in Richland Township into the City of Defiance, Ohio, as approved by the Board of County Commissioners of Defiance County, Ohio, is hereby accepted. All municipal officials are authorized to execute such plats and other documents as may be appropriate to conclude the proceedings.

Section 2: The City Administration is authorized to construct and provide water and sanitary sewer services upon development of the territory.

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 REAL PROPERTY LOCATED AT OTTAWA AVENUE, APPROPRIATING FUNDS FOR THAT PURPOSE, AND DECLARING AN EMERGENCY

WHEREAS, the City seeks to acquire property in order to connect Ottawa Avenue to the improved East Side Park with a shared use path; and,

WHEREAS, the City Administration identified two parcels totaling 0.2258 acres along Ottawa Avenue to fulfill this need; and,

WHEREAS, the target property is located in the Ottawa Terrace section of the City and is identified by the Defiance County Auditor as Permanent Parcel Numbers B01-4163-0-067-00 and B01-4163-0-068-00; and,

WHEREAS, the City negotiated with the property owner and desires to enter into a contract to purchase the real property for the amount of \$6,002.00; and,

WHEREAS, Council finds that fee simple ownership of this property will enhance the connectivity of the City by granting pedestrian access to the East Side Park;

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 contract with the owner of the real property located in the Ottawa Terrace section of the City and identified as Permanent Parcel Numbers B01-4163-0-067-00 and B01-4163-0-068-00 at a purchase price of \$6,002.00.

Section 2: The conveyance of a general warranty deed from the real property owner is hereby accepted.

Section 3: The Finance Director is authorized to pay the purchase price of \$6,002.00, plus all settlement charges, closing costs, title insurance premiums, and prorated real property taxes to the date of closing from Line 403-901-52-980874 of the 2020 annual budget.

Section 4: All municipal officers are authorized to take such actions as may be necessary or appropriate to secure marketable title to the real property and record the ownership interest of the municipality with the Recorder of Defiance County, Ohio.

Section 5: 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 6: 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 the purchase agreement is necessary to meet grant deadlines for the project. 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 AN APPLICATION FOR THE SAFE ROUTES TO SCHOOL GRANT PROGRAM, DESIGNATING THE MAUMEE VALLEY PLANNING ORGANIZATION AS AGENT FOR THE PROGRAM, AND DECLARING AN EMERGENCY

WHEREAS, Council discussed the need for pedestrian improvements on South Clinton Street between Bassard Drive and the southwestern municipal boundary; and,

WHEREAS, the United States Congress has set aside funds for Safe Routes to School ("SRTS") pedestrian projects through the Ohio Department of Transportation ("ODOT"); and,

WHEREAS, municipalities may apply for SRTS funds through the ODOT's competitive selection process; and,

WHEREAS, the contemplated SRTS improvements will create a safe and reliable way for children to walk or ride to a local school; and,

WHEREAS, Council finds that this application will aid the City in improving pedestrian connectivity;

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

Section 1: The City Administrator is directed to execute a 2020 SRTS application to the ODOT for up to \$400,000.00 in grant funding for the South Clinton Street pedestrian improvement project and any additional amount in grant funding for non-infrastructure items.

Section 2: Council designates the Maumee Valley Planning Organization ("MVPO") as agent for the City to prepare an application for SRTS funds for this project and submit the application to the ODOT on behalf of the City.

Section 3: Council agrees that the City will pay one hundred percent (100%) of the construction cost over the maximum grant amount of \$400,000.00 and all engineering costs if awarded the SRTS grant.

Section 4: Upon completion of the project, the City agrees to: 1) provide adequate maintenance for the sidewalk in accordance with all applicable state and federal laws including, but not limited to, 26 U.S.C. §116; 2) provide ample financial provisions for the maintenance of the sidewalk; 3) maintain the right-of-way and keep it free from obstructions; and 4) hold the right-of-way inviolate for public highway purposes.

Section 5: If the application is approved, the City will enter into a contract with the ODOT Director for the completion of the sidewalk project.

Section 6: 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 7: 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 action is necessary to meet the SRTS deadline of March 6, 2020. 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