

**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 25, 2020  
OPENING COMMENTS – 7:00 P.M.

SPECIAL GUEST: NONE

PUBLIC HEARING: NONE

FIRST READING: AN ORDINANCE ACCEPTING REAL PROPERTY ADJACENT TO THE OTTAWA AVENUE AND CLEVELAND AVENUE INTERSECTION AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR AN AWARD OF COMMUNITY DEVELOPMENT BLOCK GRANT TARGET OF OPPORTUNITY PROGRAM FUNDS AND DECLARING AN EMERGENCY

FIRST READING: AN ORDINANCE AUTHORIZING THE CONVEYANCE OF MUNICIPAL PROPERTY LOCATED AT SOUTH JACKSON STREET TO THE COMMUNITY IMPROVEMENT CORPORATION

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	7:00	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	5:30	Tuesday - FEBRUARY 25	UPDATE ON THE 2020 STREET-WORKS
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 ACCEPTING REAL PROPERTY ADJACENT TO THE OTTAWA AVENUE AND CLEVELAND AVENUE INTERSECTION AND DECLARING AN EMERGENCY**

**WHEREAS**, the City identified the need to improve the intersection at Ottawa Avenue and Cleveland Avenue by installing a single lane roundabout, pedestrian facilities, and a place for utilities; and,

**WHEREAS**, the acquisition of property in fee simple absolute from an adjacent property owner is necessary to complete the intersection improvements; and,

**WHEREAS**, Section 715.01 of the Ohio Revised Code authorizes a municipal corporation to acquire property by purchase through a duly-enacted ordinance or resolution by the City Council; and,

**WHEREAS**, Paul F. Schroeder and Shirley J. Schroeder agreed to convey 0.069 acres of land in fee simple absolute on February 5, 2020; and;

**WHEREAS**, the negotiated purchase price for the subject property is \$35,000.00; and;

**WHEREAS**, the Ohio Department of Transportation ("ODOT") safety funds will pay 90% of the acquisition costs; and;

**WHEREAS**, Council finds that property acquisition for construction of a roundabout and pedestrian infrastructure at this critical intersection promotes the Connectivity 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 City Administrator is directed to enter into the Contract for the Sale and Purchase of Real Property with the aforementioned property owners on file in the office of the Law Director in the amount of \$35,000.00.

**Section 2:** The Finance Director is authorized to pay the contract price from Section 1 from appropriated funds allocated by expenditure from Line 403-901-52-978105 of the 2020 annual budget.

**Section 3:** The general warranty deed from the aforementioned property owner is hereby accepted.

**Section 4:** All municipal officers are authorized to take such action as may be necessary or appropriate to secure marketable title to the real property described in the warranty deed.

**Section 5:** The City Law Director shall record the above-referenced conveyance with the Defiance County Recorder.

**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 ODOT requires the municipality to execute the purchase agreement within twenty (20) days of execution by the property owner to qualify for the 90% grant funding. 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 APPLICATION TO THE OHIO DEVELOPMENT SERVICES AGENCY FOR AN AWARD OF COMMUNITY DEVELOPMENT BLOCK GRANT TARGET OF OPPORTUNITY PROGRAM FUNDS AND DECLARING AN EMERGENCY**

**WHEREAS**, the Ohio Development Services Agency ("ODSA") allocates Community Development Block Grant ("CDBG") Target of Opportunity Program funds to provide funding for projects that will benefit persons with incomes at or below fifty percent of the area median income; and,

**WHEREAS**, the City Administration is searching for funding to aid the property owners with structural and blight removal improvements to two downtown buildings; and,

**WHEREAS**, these improvements would not be possible without federal assistance from this program; and,

**WHEREAS**, Council acknowledges that acceptance of federal assistance obligates the Municipality to administer the granted funds in accordance with program guidelines and to maintain public facilities and conduct programs in accordance with Federal requirements;

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

**Section 1:** The City Administrator, as official representative of the Municipality, is hereby authorized to enter into any contract with the ODSA for Community Development Block Grant Target of Opportunity Program assistance as may be available through the Program Year 2019 CDBG Community Development Allocation Program and is empowered to:

- a) Prepare, execute, and file all documents necessary to make application to the ODSA for a grant of CDBG Target of Opportunity Program;
- b) Provide such certifications and assurances as may be requested to assure that Title I funds are received and expended in full compliance with the Housing & Community Development Act of 1974 and regulations promulgated pursuant thereto including, without limitation, 24 CFR 570.496(a);
- c) Provide such certifications and assurances as may be requested to assure that municipal facilities are constructed and maintained and municipal programs are operated in conformity with anti-discrimination regulations applicable to the municipality by reason of its acceptance of Federal financial assistance; and
- d) Receive and administer funds in order to carry out all programs and activities described by the authorized CDBG application in conformity with program guidelines and applicable regulations.

**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 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 file the application authorized by this Ordinance promptly with the ODSA in order to be considered timely and eligible for funding. 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 CONVEYANCE OF MUNICIPAL PROPERTY LOCATED AT SOUTH JACKSON STREET TO THE COMMUNITY IMPROVEMENT CORPORATION**

**WHEREAS**, the City desires to convert a former park on South Jackson Street into two lots for additional housing; 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 residential use; and,

**WHEREAS**, Council finds that the proposed plan and transfer advances the Housing Pillar of the Defiance Community Strategic Plan by increasing the availability of homes within the municipal boundaries;

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

**Section 1:** Council hereby adopts a redevelopment plan to add housing on the property depicted in "Exhibit A" attached hereto.

**Section 2:** The sale of the property depicted in "Exhibit A" to the CIC is hereby authorized in the amount of \$1.00, plus the cost of any title insurance policy, attorney's fees, recording fees, and any other fees incidental to closing.

**Section 3:** The Finance Director is authorized to pay the price from Section 1 from appropriated funds allocated by expenditure from Line 101-172-52-963000 of the 2020 annual budget.

**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: \_\_\_\_\_, 2020

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

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

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

\_\_\_\_\_  
Mayor

