

Ordinance No. _____

**AN ORDINANCE AUTHORIZING THE PURCHASE OF A POLICE
CRUISER AND EQUIPMENT**

WHEREAS, the City budget provides for the annual rotation of police vehicles in order to ensure reliable emergency vehicles and prevent large and sudden costs for the City; and,

WHEREAS, the 2020 capital improvements budget provided for the replacement of one police cruiser; and,

WHEREAS, the City Police Department received bids from local automobile dealers for a replacement vehicle and found an offer to sell one fully equipped 2020 Ford Interceptor sport utility vehicle for a total price of \$40,261.00 from Mark Moats Ford to be the lowest and best bid to the published specifications;

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

Section 1: The City Administrator is directed to award a contract for one 2020 Ford Interceptor sport utility vehicle at a cost of \$32,690.00, plus equipment and build at a cost of \$7,571.00, for a total cost of \$40,261.00.

Section 2: The Finance Director is authorized to pay the total cost of purchasing and equipping the police cruiser in the amount specified in Section 1 from Line 403-901-52-976054 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 ACCEPTING A PERMANENT EASEMENT FOR A SIDEWALK IN THE DEFIANCE NORTH COMMERCIAL SUBDIVISION

WHEREAS, a developer plans to construct a car wash at the Defiance North Commercial Subdivision; and,

WHEREAS, Section 1167.06(B) of the Codified Ordinances of Defiance, Ohio require public sidewalks on all new commercial development; and,

WHEREAS, Section 2.12(11) of the City Charter gives City Council the exclusive authority to accept real property interests; and,

WHEREAS, Magic Tunnel Midwest, LLC is the record owner in fee simple absolute of the property located at 8715 N. Clinton Street; and,

WHEREAS, the City will acquire the easement interest for the consideration of \$1.00 and will not bear any responsibility for the maintenance of the sidewalk; and,

WHEREAS, Council finds that acceptance of this easement will aid the Connectivity Pillar of the Defiance Community Strategic Plan by expanding the network of sidewalks without adding to the City's maintenance obligations;

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 permanent easement agreement with Magic Tunnel Midwest, LLC. The permanent easement as set forth in the legal description attached as "Exhibit A" is hereby accepted.

Section 2: The City Administrator is authorized to sign and execute the permanent easement agreement and the Law Director and Council Clerk are authorized to indicate their approval on the document.

Section 3: The Law Director, or his designee, shall record the permanent easements with the Defiance County Recorder.

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

EXHIBIT A
LEGAL DESCRIPTION

BEING A SIDEWALK EASEMENT OVER, THROUGH, AND ACROSS A PART OF LOT 2 OF DEFIANCE NORTH COMMERCIAL SUBDIVISION AS SHOWN ON PLAT BOOK 14, PAGE 161 OF THE DEFIANCE COUNTY REDORDER'S OFFICE AND BEING OWNED BY MAGIC TUNNEL MIDWEST, LLC. AS CONVEYED IN OFFICIAL RECORD 422, PAGE 408 OF THE DEFIANCE COUNTY DEED RECORDS, SITUATE IN SECTION 12, TOWN 4 NORTH, RANGE 4 EAST, CITY OF DEFIANCE, DEFIANCE COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Beginning at the southwest corner of Lot 1 of the said Defiance North Commercial Subdivision and being on the east right-of-way line of State Route 66;

thence, South $88^{\circ}-59'-58''$ East, 10.00 feet, along the south line of said Lot 1 to a point;

thence, South $01^{\circ}-00'-02''$ West, 234.85 feet, to a point on the westerly line of Lot 3 of said Defiance North Commercial Subdivision;

thence, on a curve to the right with a radius of 50.00 feet, an arc distance of 10.50 feet, a delta angle of $12^{\circ}-02'-05''$, and a chord bearing North $71^{\circ}-40'-42''$ West, 10.48 feet, along the westerly line of said Lot 3 to a point on the east right-of-way line of State Route 66;


thence, North $00^{\circ}-50'-29''$ East, 129.90 feet, along the east right-of-way line of State Route 66 to a point;

thence, North $01^{\circ}-12'-29''$ East, 101.83 feet, along the east right-of-way line of State Route 66 to the place of beginning.

Containing 0.055 acres more or less and all being subject to any legal highways and easements of record.

The bearings are based on NAD 83 CORS 2011 adjustment, Ohio North Zone, ODOT VRS CORS Network.

The above description was prepared by Allen J. Bertke, Ohio Professional Surveyor Number 8629, based on a field survey performed under his direct supervision and dated October 1, 2019.

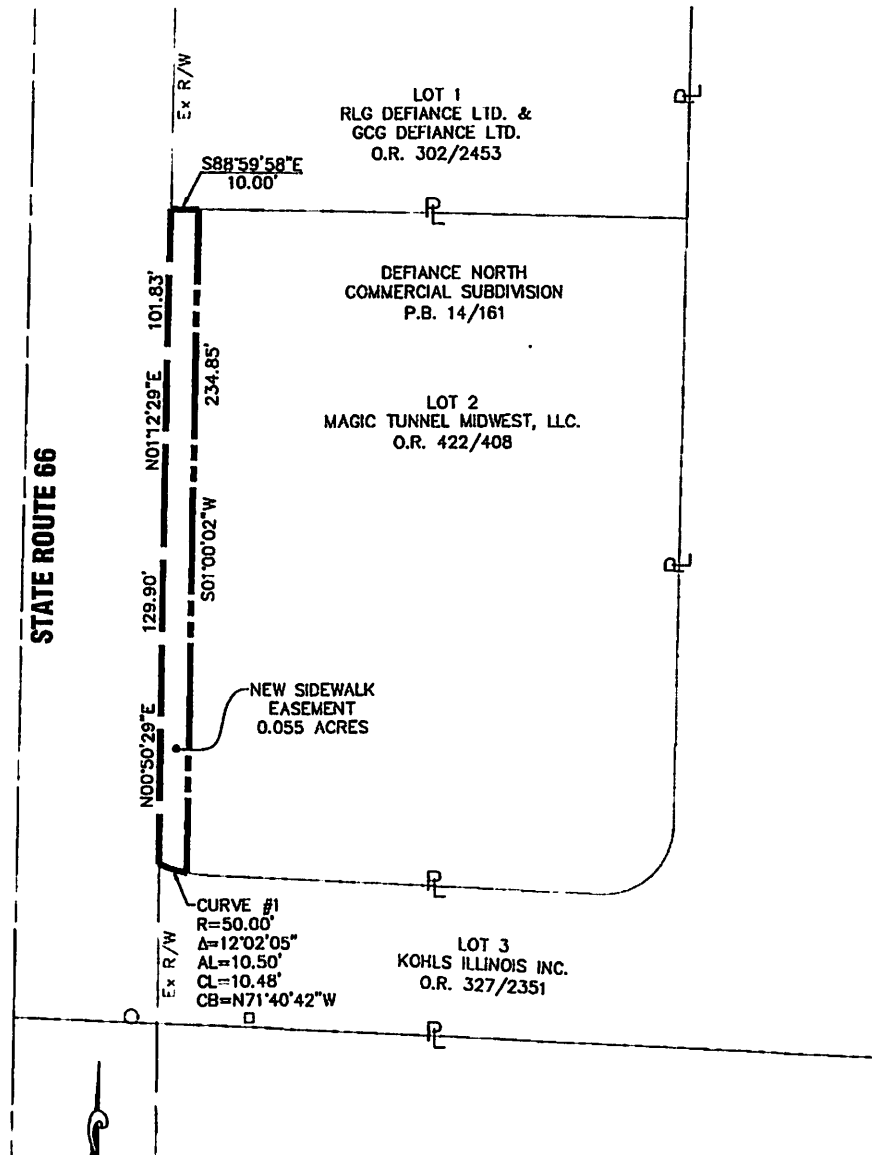

Allen J. Bertke, PS #8629



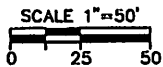
10/01/2019
Date

EXHIBIT B

BEING A SIDEWALK EASEMENT
SITUATED IN SECTION 12, T 4 N, R 4 E,
CITY OF DEFIANCE, DEFIANCE COUNTY, OHIO



THE BEARINGS ARE BASED ON
NAD 83 CORS 2011 ADJUSTMENT,
OHIO NORTH ZONE,
ODOT VRS CORS NETWORK



ChoiceOne
Engineering

SIDNEY, OHIO 937.497.0200
LOVELAND, OHIO 513.239.8554

www.CHOICEONEENGINEERING.com

DATE:
10-01-2019

DRAWN BY:
RMF

JOB NUMBER:
DEF-DEF-1801

SHEET NUMBER

1 OF 1

Ordinance No. _____

AN ORDINANCE AUTHORIZING A CONTRACT FOR THE COLLECTION OF UNPAID DEBTS OWED TO THE MUNICIPALITY

WHEREAS, a small percentage of accounts owed to the City are delinquent and would require significant time and resources to attempt to collect; and,

WHEREAS, Credit Adjustments, Inc. ("CAI"), a Defiance corporation, has the manpower and ability to pursue these debts from consumers; and,

WHEREAS, CAI charges a 35% commission on any bad debt collected, but would impose no additional fees on the City; and,

WHEREAS, Council finds that this arrangement will save time and resources for the City and may generate additional revenue for City services;

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 Credit Adjustments, Inc. for debt collection services and on file in the office of the Finance Director.

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

RESOLUTION No. _____

**A RESOLUTION IN SUPPORT OF THE OHIO DEPARTMENT OF
TRANSPORTATION PLAN TO REPLACE AN EMBANKMENT ALONG
SOUTH JEFFERSON AVENUE**

WHEREAS, the City of Defiance has identified the need for slide repair in the southeast quadrant of the Jefferson Avenue bridge over the Auglaize River; and

WHEREAS, the above-described project is within the city limits; and

WHEREAS, Council finds that this project, to be completed and funded by the Ohio Department of Transportation ("ODOT"), will help the City maintain a safe street network;

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

Section 1: Consent Statement: Council hereby consents to the above-referenced project and supports City cooperation with ODOT to complete this project.

Section 2: Cooperation Statement: ODOT and the Federal Highway Administration shall assume and bear one hundred percent (100%) of the necessary costs of the State highway improvement project. In the event that the City requests certain features or appurtenances to be included within the highway improvement project design and construction, and which the State determines are not necessary for the project, the City shall contribute 100% of the cost of those features or appurtenances.

Section 3: Utilities and Right-of-Way Statement: The City agrees that all right-of-way acquired for the described project will be acquired or made available in accordance with current State and Federal regulations. The City understands that right-of-way costs include eligible utility costs.

The City agrees that all utility accommodations, relocations, and reimbursements will comply with current provisions of 23 C.F.R. 65 and the ODOT Utilities Manual.

Section 4: Maintenance: The City shall maintain the right-of-way and keep it free from obstructions, and hold the right-of-way inviolate for public highway purposes.

Section 5: Authority to Sign: The City Administrator is hereby empowered to enter into any agreements on behalf of the City of Defiance, Ohio with the Director of the Ohio Department of Transportation necessary to complete the above-referenced project.

Section 6: Open Meetings Act Statement: It is found and determined that all legislative actions pertaining to the adoption of this Resolution 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: Effective Date: This Resolution shall be effective on the earliest date permitted by law.

Passed: _____, 2020 _____
President of Council

Attest: _____, Clerk

Approved: _____, 2020 _____
Mayor