

Ordinance No. _____

AN ORDINANCE VACATING A RIGHT-OF-WAY BETWEEN LOTS 98, 99, 100, AND 101 OF THE EAST VIEW ADDITION

WHEREAS, the City received a petition to vacate the right-of-way adjacent to and adjoining Lot Nos. Ninety-Eight (98), Ninety-Nine (99), One Hundred (100) and One Hundred and One (101) in the East View Addition; and,

WHEREAS, the Planning Commission heard the petition at the June 21, 2021 public hearing and voted unanimously to recommend the right-of-way vacation; and,

WHEREAS, the subject right-of-way has private utilities and connects Hill Avenue to an unimproved and unpaved right-of-way; and,

WHEREAS, Council finds good cause for vacating the alley and that the requested vacation will not be detrimental to the public interest pursuant to Section 905.19(a) of the Codified Ordinances of Defiance, Ohio;

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

Section 1: The north-to-south right-of-way between Lot Nos. Ninety-Eight (98), Ninety-Nine (99), One Hundred (100) and One Hundred and One (101) in the East View Addition to the City of Defiance, Ohio (1109 and 1111 Ayersville Avenue and 101 Hill Street) is hereby vacated.

Section 2: The Law Director, or his designee, shall record a copy of this Ordinance to document the vacation of the public right-of-way lying between these parcels.

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: _____, 2021 _____
President of Council

Votes in Favor of Adoption: _____
Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021 _____
Mayor



ITEM 3: ALLEY VACATION
PROJECT LOCATION: BETWEEN 101 HILL STREET AND THE REAR OF 1109 AND 1111 AYERSVILLE AVENUE, DEFIANCE, OH 43512
APPLICANT: DANIEL PEREZ, 1109 AYERSVILLE AVENUE, DEFIANCE OH 43512.

Description:
 Vacation of the alley running north-south along the west property line of 101 Hill Street. Alley is located between parcel B01-4161-0-030-00 and the rear of parcels B01-4161-0-027-00, B01-4161-0-028-00, and B01-4161-0-029-00.

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY
LOCATED AT 116 AND 118 SENECA STREET AND DECLARING AN
EMERGENCY**

WHEREAS, the City seeks to acquire property for demolition located in a Special Flood Hazard Area ("SFHA") as identified by the Federal Emergency Management Agency ("FEMA"); and,

WHEREAS, FEMA and the Ohio Emergency Management Agency ("OEMA") provides eighty-seven and one-half percent (87.5%) grant funding for the acquisition and demolition of structures in the SFHA, with the City providing a twelve and one-half percent (12.5%) match; and,

WHEREAS, the Maumee Valley Planning Organization identified one parcel, B01-4142-0-100-00, that meets the grant criteria and contains a structure suitable for demolition; and,

WHEREAS, the City desires to enter into a contract for the purchase of the above-described real property for the total amount of \$95,000.00; and,

WHEREAS, Council finds that ownership of this property will assist with flood mitigation efforts and add green space near Kingsbury 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 at 116 and 118 Seneca Street and identified as Permanent Parcel Number B01-4142-0-100-00 at a total purchase price of \$96,096.25, including costs.

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 from Section 1, plus all settlement charges, closing costs, title insurance fees, procurement fees and prorated real property taxes to the date of closing from Line 403-901-52-979111 of the 2021 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 is declared to be an emergency measure necessary to preserve the health, safety, or welfare of the community for the reason that time is of the essence to secure ownership of this property according to the FEMA grant timelines. 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: _____, 2021 _____
President of Council

Votes in Favor of Adoption: _____
Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021 _____
Mayor

ORDINANCE NO. _____

AN ORDINANCE AWARDING A CONTRACT FOR THE PURCHASE OF EQUIPMENT FOR THE BRONSON PARK MULTI-USE PATH AND DECLARING AN EMERGENCY

WHEREAS, the Ohio General Assembly appropriated \$150,000.00 for the costs associated with the construction of a multi-use path at Bronson Park in Senate Bill 310 effective December 29, 2020; and,

WHEREAS, the City desires to add features alongside the new path from Landscape Structures, Inc. at the quoted price of \$36,417.00; and,

WHEREAS, Council finds that these features will increase the aesthetic value of Bronson Park for residents and visitors;

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 Landscape Structures, Inc. for the purchase of multi-use path equipment in the amount of \$36,417.00 and according to the specifications from the proposal dated July 18, 2021.

Section 2: The Finance Director is authorized to pay the purchase price from appropriated funds allocated for expenditure by Line 403-901-5-2-920010 of the 2021 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 hopes to reduce installation costs by ordering and installing this equipment during the construction of the multi-use path. Additionally, the City is encountering price increases for the equipment and desires to lock in the quoted price before any further increases. 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: _____, 2021

President of Council

Votes in Favor of Adoption: _____
Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021

Mayor

RESOLUTION No. _____

A RESOLUTION EXPRESSING SUPPORT FOR THE ENTERPRISE ZONE AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF DEFIANCE COUNTY, OHIO AND KELLER DEVELOPMENT GROUP, LLC

WHEREAS, Council supported the designation of the area encompassing Permanent Parcel No. J12-0018-0-017-00 as part of an Enterprise Zone in Resolution No. 2076 on December 1, 1987; and

WHEREAS, Keller Development Group, LLC ("the company") desires to open a packaging facility at 25135 Commerce Drive in Defiance, Ohio; and

WHEREAS, the company pledges to create twenty (20) new full-time jobs within three (3) years within the City; and

WHEREAS, the Boards of Education for both the Northeastern Local School District and the Four County Career Center recognized and endorsed this enterprise by resolutions; and

WHEREAS, an Ohio Enterprise Zone tax exemption agreement between the Board of Commissioners of Defiance County, Ohio and the company will support this economic endeavor through reduced property taxation for this \$7,100,000.00 investment; and

WHEREAS, Council finds that the agreement aligns with the economic development pillar of the Defiance Community Strategic Plan.

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

Section 1: Council hereby expresses support for the Keller Development Group, LLC economic development project and the enterprise zone agreement which provides the company with a property tax exemption on the real property improvements at eighty percent (80%) for a period of ten years.

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

Passed: _____, 2021

President of Council

Attest: _____, Clerk

Approved: _____, 2021

Mayor