

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 106 CLINTON STREET, 110 CLINTON STREET, 114 CLINTON STREET, AND 118 CLINTON STREET AND DECLARING AN EMERGENCY AS AMENDED

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 City Administration identified three parcels, B01-1015-0-006-00, B01-1015-0-007-00, and B01-1015-0-008-00 that meet the grant criteria and contain structures 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 \$688,000.00; and,

WHEREAS, Council finds that ownership of this property will enhance the downtown by providing recreational space along the riverfront;

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 106 Clinton Street, 110 Clinton Street, 114 Clinton Street, and 118 Clinton Street and identified as Permanent Parcel Numbers B01-1015-0-006-00, B01-1015-0-007-00, and B01-1015-0-008-00 at a purchase price of \$688,000.00.

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 from Section 1, plus all settlement charges, closing costs, title insurance fees, and prorated real property taxes to the date of closing from Line 403-901-52-979111 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 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: _____, 2020 _____
President of Council

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

Attest: _____, Clerk

Approved: _____, 2020 _____
Mayor

ORDINANCE NO. _____

AN ORDINANCE DIRECTING THE CITY ADMINISTRATOR TO APPLY FOR A GRANT FROM THE OHIO PUBLIC WORKS COMMISSION TO ASSIST WITH THE REPLACEMENT COSTS FOR THE WATER LINES AND SURFACE OF WEST HIGH STREET AND DECLARING AN EMERGENCY

WHEREAS, the water lines along West High Street between Clinton Street and Harding Street are in need of complete replacement; and,

WHEREAS, the City intends to resurface West High Street between Clinton Street and the western corporation limit (U.S. 24 overpass); and,

WHEREAS, the project may qualify for funding in the amount of \$325,000.00 from the Ohio Public Works Commission ("OPWC"); and,

WHEREAS, the City requires outside funding for this project in order to make it viable; and,

WHEREAS, Council finds that the infrastructure improvements at this intersection promote 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 make application to the OPWC for a grant of \$325,000.00 to be applied towards the total cost of the West High Street water line and surface replacement.

Section 2: The City Administrator is authorized to enter into any contracts or agreements as may be necessary and appropriate for obtaining this financial assistance.

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 funding application is due to the Defiance County Engineer no later than September 11, 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