

Ordinance No. 7637

AN ORDINANCE ACCEPTING THE ANNEXATION OF 6.093 ACRES OF LAND LOCATED IN SECTION 27, DEFIANCE TOWNSHIP, DEFIANCE COUNTY, OHIO

Whereas, Peter C. Masterson and others filed a Petition seeking to annex 6.093 acres of land located in Section 27, Defiance Township, Defiance County, Ohio, to the City of Defiance; and,

Whereas, By Resolution passed April 15, 2014, Council consented to allowance of the Petition by the Board of County Commissioners and declared the services to be provided the territory upon annexation; and,

Whereas, The Board of County Commissioners approved the Petition 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 municipality;

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

Section 1: The Petition to annex 6.093 acres of land located in Section 27, Defiance Township, Defiance County, Ohio, to the City of Defiance, as heretofore approved by the Board of County Commissioners of Defiance County, Ohio, is approved and the territory therein described is accepted. All municipal officials are authorized to execute such plats and other documents as may be appropriate to conclude the proceedings.

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 duly convened in accordance with law.

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

Passed: July 15 _____, 2014

Mike McCann _____
President of Council

Attest: Lisa Elders _____, Clerk

Approved: July 15 _____, 2014

Bob Armstrong _____
Mayor

Ordinance No. 7638

AN ORDINANCE ACCEPTING THE ANNEXATION OF 0.657 ACRES OF LAND LOCATED IN SECTION 30, RICHLAND TOWNSHIP, DEFIANCE COUNTY, OHIO

Whereas, A Petition has been filed seeking to annex 0.657 acres of land being a part of Lot 69 in and of the Saunders-Snyder Addition and adjacent lands located in Section 30, Richland Township, Defiance County, Ohio, and identified by Permanent Parcel Number J09003001001 to the City of Defiance; and,

Whereas, By Resolution passed February 25, 2014, Council consented to allowance of the Petition by the Board of County Commissioners and declared the services to be provided the territory upon annexation; and,

Whereas, The Board of County Commissioners approved the Petition 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 municipality;

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

Section 1: The Petition to annex a part of Lot 69 in and of the Saunders-Snyder Addition and adjacent lands located in Section 30, Richland Township, Defiance County, Ohio, and identified by Permanent Parcel No. J09003001001 to the City of Defiance, as heretofore approved by the Board of County Commissioners of Defiance County, Ohio, is approved and the territory therein described is accepted. All municipal officials are authorized to execute such plats and other documents as may be appropriate to conclude the proceedings.

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 duly convened in accordance with law.

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

Passed: July 15 _____, 2014

Mike McCann _____
President of Council

Attest: Lisa Elders _____, Clerk

Approved: July 15 _____, 2014

Bob Armstrong _____
Mayor

ORDINANCE NO. 7639

AN ORDINANCE AUTHORIZING THE AWARD OF A CONTRACT TO GERKEN PAVING, INC. TO RESURFACE DOHONEY ROAD, APPROPRIATING FUNDS FOR THAT PURPOSE AND DECLARING AN EMERGENCY

WHEREAS, installation of sewerage to serve recently annexed territory fronted by Dohoney Road resulted in settlement necessitating that Dohoney Road be repaired and repaved; and,

WHEREAS, Ohio EPA, Water Pollution Control Loan Fund, administrators concur with the City Engineer's determination that the proposed repair and resurfacing of Dohoney Road has been necessitated by the installation of sewerage and that costs to restore Dohoney Road are, therefore, eligible for payment from unexpended non-interest bearing funds committed to the City's use to assist with payment of costs to install the sewerage improvements; and,

WHEREAS, bids were properly solicited to repair and resurface Dohoney Road in conformity with plans and specifications on file in the office of the City Engineer and Gerken Paving, Inc., submitted the lowest responsive and responsible bid;

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

Section 1: The City Administrator is authorized to award a contract to Gerken Paving, Inc., to repair and pave Dohoney Road in substantial conformity with the approved plans and specifications on file in the office of the City Engineer and at the price of \$110,653.71 established by the accepted bid.

Section 2: The Finance Director is authorized to draw unexpended funds previously committed to the City's use by Ohio Water Development Authority Account Number 6248, Ohio EPA Water Pollution Control Loan Fund loan number CS390305-0019.

Section 3: The Finance Director is further authorized to pay all costs arising under the contract authorized by Section 1 of this Ordinance from Capital Improvement Funds allocated to the sewerage project by Line 403-901-5-2-979-047 of the 2014 annual budget and a supplemental appropriation of Capital Improvement Funds in the amount of \$120,000.00 is hereby made and allocated for expenditure through that budgetary line for that purpose.

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 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 confirmation of the City's intent to proceed with the work, evidenced by award of the contract authorized by this Ordinance, must be submitted to OEPA WPCLF administrators by July 18, 2014, to preserve necessary financing arrangements. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than 5 Members of Council and approval of the Mayor.

Passed: July 15 _____, 2014

Mike McCann

President of Council

Votes in Favor of Adoption: 6

Votes Opposed to Adoption: 0

Attest: Lisa Elders _____, Clerk

Approved: July 15 _____, 2014

Bob Armstrong

Mayor