

Ordinance No. 7782

AN ORDINANCE CONFIRMING THE PURCHASE OF LAND

WHEREAS, by Resolution 2443, Council accepted a grant of Federal Flood Hazard Mitigation Program Assistance to acquire developed lands within the flood plain, demolish structures located thereon and preserve the lands for public use; and,

WHEREAS, Resolution 2443 designated Maumee Valley Planning Organization as the City's agent to administer the grant funds on behalf of the municipality and in accordance with Federal and State program guidelines and regulatory requirements; and,

WHEREAS, Maumee Valley Planning Organization negotiated a purchase agreement with Zachrich Properties, Ltd., pertaining to land located at 418 Auglaize Street; and,

WHEREAS, ratification of the contract and acceptance of title to lands described therein must be confirmed by Ordinance;

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

Section 1: The proposed Purchase Agreement pertaining to lands identified by Auditor's Permanent Parcel Numbers B01-4146-0083-00, B01-4146-0084-00 and B01-4146-0085-00 is approved, ratified and confirmed. Municipal officials are authorized to perform such acts as may be appropriate to the performance of the municipality's obligations in accordance with the terms of the approved contract and applicable program guidelines.

Section 2: The Law Director is authorized to accept and record the deed to be delivered pursuant to the approved contract.

Section 3: The Finance Director is authorized to pay the contract purchase price of \$245,000.00 and all transactional expenses as they are incurred in accordance with program guidelines from appropriately budgeted program funds.

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 Executive Session duly convened in accordance with law.

Section 5: This Ordinance shall be effective on the earliest date permitted by law.

Passed: January 12, 2016

Michael Ketcham
President of Council

Attest: Lisa Elders, Clerk

Approved: January 12, 2016

Michael McCann
Mayor

ORDINANCE NO. 7783

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO MAKE APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR A GRANT OF RECREATIONAL TRAIL PROGRAM FUNDS TO IMPROVE THE GROUNDS OF THE MUNICIPAL WATER RESERVOIR AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Department of Transportation has awarded a transportation enhancement grant to assist the City with the cost to construct the first phase of a Canal Pathway that, upon completion, will improve publicly-owned canal lands to provide a pedestrian way linking the downtown business district with parklands surrounding the municipal water reservoir; and,

WHEREAS, the Master Plan for improvement of the reservoir acreage provides for construction of the aforesaid Canal Pathway and a connected multi-use, ADA compliant, boardwalk to facilitate access to and recreational use of forested lands located on the reservoir grounds; and,

WHEREAS, the Ohio Department of Natural Resources provides financial assistance to local units of government equal to 75% of the cost to install recreational trails on public land; and,

WHEREAS, the proposed boardwalk is an eligible project that may be considered for funding under the Recreational Trail Program; and,

WHEREAS, the Ohio Department of Natural Resources denied a previous request for financial assistance but encouraged City officials to reapply for Recreational Trail Program funds upon development of more comprehensive plans and specifications; and,

WHEREAS, the conceptual plans and specification required to support the application have been completed;

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

Section 1: The City Administrator is authorized to make application to the Ohio Department of Natural Resources for a grant of Recreational Trail Program funds equal to 75% of the cost to construct an ADA-complaint boardwalk affording access to, and multi-use recreational trail facilities within, forested acreage on the reservoir grounds.

Section 2: In the event the authorized application is approved, Council will appropriate sufficient Capital Improvement funds to pay all design, construction and other program costs allocated to the municipality by the terms and conditions of the approved grant and obligate the appropriated funds for payment of project costs by appropriate provisions in the 2017 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 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 authorized application must be filed with the Ohio Department of Natural Resources by February 1, 2016, to be considered for approval. 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: January 12, 2016

Michael Ketcham
President of Council

Votes in Favor of Adoption: 6

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: January 12, 2016

Michael McCann
Mayor

Ordinance No. 7784

AN ORDINANCE ACCEPTING THE ANNEXATION OF 1.736 ACRES OF LAND LOCATED IN SECTION 19, RICHLAND TOWNSHIP, DEFIANCE COUNTY, OHIO

WHEREAS, Mr. PBA, LLC filed a Petition to annex a part of Lot 3, Lots 4 and 5 and a part of Lot 6 of the Riverview Addition together with a part of Lot 18, Lot 19 and a part of Lot 20 of the Riverview Addition Extension, said territory encompassing 1.736 acres of land, more or less, located in Section 19, Richland Township, Defiance County, Ohio ; and,

WHEREAS, By Resolution passed October 6, 2015, 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 of Mr. PBA, LLC to annex 1.736 acres of land located in Richland Township, as approved by the Board of County Commissioners of Defiance County, Ohio, is hereby 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: January 12, 2016

Michael Ketcham
President of Council

Attest: Lisa Elders, Clerk

Approved: January 12, 2016

Michael McCann
Mayor

Ordinance No. 7785

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT FOR THE PURCHASE OF AN AMBULANCE THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

WHEREAS, Provision has been made in the 2016 annual budget for replacement of ambulance 211 due to age and condition;

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

Section 1: The City Administrator is authorized to contract for the assembly of one 2016 Braun Chief XL-I/Ford-450 4x4 chassis ambulance and all accessory equipment specified by the PennCare Public Safety quotation numbered 10189-0003 through the Ohio Department of Administrative Services Cooperative Purchasing Program (State Term Schedule 233-Q) and at the quoted price of \$197,973.00.

Section 2: The Finance Director is authorized to pay the contract price from moneys allocated for the replacement of ambulance 211 by Line 403-901-5-2-975-045 of the annual budget.

Section 3: Upon delivery and acceptance of the replacement ambulance, the City Administrator is authorized to sell Ambulance 211 as municipal surplus in accordance with Codified Ordinance 151.04(b).

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 and safety of the community for the reason that: prolonged use of ambulance 211 is likely to require extraordinary maintenance expenditures necessitating that the Order for assembly of the replacement ambulance be placed at the earliest possible time. 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: January 12, 2016

Michael Ketcham
President of Council

Attest: Lisa Elders, Clerk

Approved: January 12, 2016

Michael McCann
Mayor