

ORDINANCE NO. 7805

AN ORDINANCE AUTHORIZING PAYMENT OF CLAIMS AND DECLARING AN EMERGENCY

WHEREAS, The City Law Director consulted City Council in Executive Session pursuant to Codified Ordinances 133.04 and 133.05; and,

WHEREAS, Council finds that it is in the best interests of the municipality to settle certain contractual and property claims on negotiated terms;

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

Section 1: The Finance Director is authorized and directed to pay the sum of \$3,500.00 to Fredrick Town Commons, LLC in full and complete settlement of trespass claims detailed in the demand letter dated February 23, 2016. Payment shall be drawn from Line 101-172-5-2-963-000 of the 2016 annual budget.

Section 2: The Finance Director is authorized and directed to pay the sum of \$42,234.42 to B.E. Mangas & Son, LLC in full and complete settlement of contractual claims detailed in the demand letter dated February 23, 2016. Payment shall be drawn from Line 403-901-5-2-974-034 of the 2016 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 prompt acceptance of the negotiated settlement terms is required to avoid costs and risks of litigation. 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: March 22, 2016

Michael Ketcham
President of Council

Votes in Favor of Adoption: 6

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: March 22, 2016

Michael McCann
Mayor