

ORDINANCE NO. 7435

AN ORDINANCE AUTHORIZING A CONTRACT WITH SYMANTEC TO PROVIDE COMPUTER SECURITY SOFTWARE FOR A PERIOD OF THREE YEARS AND DECLARING AN EMERGENCY

WHEREAS, the City engaged Metalink Technologies to provide information technology services and Metalink Technologies has determined that the City's computer systems are vulnerable to spam, viral attack and data theft; and,

WHEREAS, Metalink Technologies has recommended the immediate installation of specific software to safeguard the City's data processing capabilities and data;

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

Section 1: The City Administrator is authorized to purchase the software and support services recommended by Metalink Technologies and itemized by Symantec Order No. 0362839 at the quoted price of \$8,630.00.

Section 2: The City Finance Director is authorized to pay the contract cost from 2012 budgetary line 403-901-5-2-974-038.

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 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 and welfare of the community for the reason that governmental operations are dependent on computer systems that are subject to recently identified security vulnerabilities that must be promptly corrected. 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: October 16 _____, 2012 Tim Holtsberry _____
President of Council

Votes in Favor of Adoption: 6
Votes Opposed to Adoption: 0

Attest: Lisa Elders _____, Clerk

Approved: October 16 _____, 2012 Bob Armstrong _____
Mayor

ORDINANCE NO. 7436

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF LAND TO THE COMMUNITY IMPROVEMENT CORPORATION OF DEFIANCE COUNTY AND DECLARING AN EMERGENCY

WHEREAS, The City acquired Lots Numbered 2 and 3 in and of Zeller's First Addition to the City of Defiance to encourage industrial development and subsequently conveyed all of said lands, less and except the westernmost 50 feet of each Lot, to the Community Improvement Corporation of Defiance County to encourage industrial development of the property by Standridge Color Corporation; and,

WHEREAS, the westernmost 50 feet of each lot was retained by the municipality to reserve land for future rail development in the event the CSX Transportation rail spur now located on lands adjacent to Lots 2 and 3 of Zeller's First Addition could not be installed on those adjacent lands as was then proposed; and,

WHEREAS, the subsequent installation of rail facilities on lands adjacent to Lots Numbered 2 and 3 of Zeller's First Addition renders continued municipal ownership of the westerly portion of those lots unnecessary to any public purpose; and,

WHEREAS, continued municipal ownership of any right, title or interest in Lot 2 or Lot 3 of Zeller's First Addition will hamper future expansion of industrial facilities by Standridge Color Corporation;

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

Section 1: The Law Director is authorized prepare such deeds and other documents and to take all additional actions as may be appropriate to convey title to the westernmost 50 feet of Lot 2 and westernmost 50 feet of Lot 3 in and of Zeller's First Addition to the City of Defiance, and to convey any and all other rights, title or interests the City may have in or to any portion of either of said lots to the Community Improvement Corporation of Defiance County. The conveyance authorized by this Ordinance shall be made for nominal consideration of One Dollar (\$1.00).

Section 2: The Mayor is authorized to execute and deliver all deeds and to execute such other instruments as may be prepared pursuant to the authority of Section 1 of this Ordinance.

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 and welfare of the community for the reason that continued municipal ownership of the westernmost 50 feet of Lot 2 will prevent the erection of an industrial building by Standridge Color Corporation and, thereby, frustrate the industrial and economic development purposes for which the land was originally acquired. 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: October 16, 2012 Tim Holtsberry
President of Council

Votes in Favor of Adoption: 6
Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: October 16, 2012 Bob Armstrong
Mayor

Ordinance No. 7437

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE ONE NETZCH TORNADO T2 ROTARY LOBE PUMP FOR INSTALLATION AT THE WATER POLLUTION CONTROL WORKS

WHEREAS, sludge handling facilities at the Water Pollution Control Treatment Plant were equipped with two piston pumps in 1988; and,

WHEREAS, the use of rotary pumps is now standard practice within the industry as the technology offers significant advantages in terms of efficiency, reliability and ease of maintenance; and,

WHEREAS, one of the existing piston pumps has reached the end of its design life and must now be rebuilt or replaced; and,

WHEREAS, Council finds that the more cost effective option is to replace the failing pump with a rotary unit;

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 Excel Fluid Group, LLC to supply one Netzch Tornado T2 rotary lobe pump and all ancillary equipment itemized by price quotation 29274.

Section 2: the Finance Director is authorized to pay the quoted purchase price of \$19,103.00 from 2012 budgetary line 590-540-5-2-980880.

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 shall be effective on the earliest date permitted by law.

Passed: October 16, 2012 Tim Holtsberry
President of Council

Attest: Lisa Elders, Clerk

Approved: October 16, 2012 Bob Armstrong
Mayor