

ORDINANCE NO. 7460

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH PRO-TECH SYSTEMS GROUP TO SUPPLY A CONTROL SYSTEM FOR WATER TREATMENT PLANT IMPROVEMENTS AND DECLARING AN EMERGENCY

WHEREAS, Water used to backwash Water Treatment Plant filters is currently discharged to lime sludge lagoons; and,

WHEREAS, The Ohio Environmental Protection Agency has mandated that back wash from filter cleaning operations be discharged to municipal sewers for conveyance to the Water Pollution Control Treatment Works prior to release into the environment; and,

WHEREAS, Improvements are presently being designed to comply the NPDES permit requirements before mid-year 2013 as required by the OEPA compliance schedule; and,

WHEREAS, It is necessary to design, build and install automated controls to operate the reconfigured discharge facilities;

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

Section 1: The City Administrator is authorized to contract with Pro-Tech Systems Group to supply a control system and SCADA interface for the "Filter Backwash Discharge Project" on the terms of service recited in the proposal dated November 2, 2012, and at the prices quoted therein.

Section 2: The Finance Director is authorized to pay costs arising under the authorized contract, not to exceed \$9,500.00, from 2012 budgetary line 591-537-5-2-980880.

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 is declared to be an emergency measure necessary to the preservation of the health, safety and welfare of the community for the reason that immediate commencement of the authorized work is necessary to assure that OEPA mandated improvements are operational within the time period allowed by the compliance schedule. 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: December 11 _____, 2012 Tim Holtsberry _____
President of Council

Votes in Favor of Adoption: 7
Votes Opposed to Adoption: 0

Attest: Tim Holtsberry _____, Acting Clerk

Approved: December 11 _____, 2012 Bob Armstrong _____
Mayor

ORDINANCE NO. 7461

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH PMG CONSULTING , INC., AND DECLARING AN EMERGENCY

WHEREAS, an analytical study to determine the organic profile of raw water supplied to the waterworks is needed to optimize treatment processes employed to minimize trihalomethane contamination of potable water produced for human consumption;

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

Section 1: The City Administrator is authorized to contract with PMG Consulting, Inc. for performance of the analytical and consulting services detailed in the proposal dated November 14, 2012.

Section 2: The Finance Director is authorized to pay the contract price of \$12,700.00 and other costs incurred in accordance with terms and conditions of the authorized contract from 2012 budgetary line 591-537-5-2-835009.

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 of the community for the reason that immediate performance of the authorized services is necessary to assure that potable water produced for human consumption is in compliance with Safe Drinking Water Act standards. 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: December 11 _____, 2012 Tim Holtsberry _____
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Tim Holtsberry _____, Acting Clerk

Approved: December 11 _____, 2012 Bob Armstrong _____
Mayor

ORDINANCE NO. 7462

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO PAY AN INVOICE RECEIVED FROM HELMS AND SONS EXCAVATING AND DECLARING AN EMERGENCY

WHEREAS, A sewer collapse on Ayersville Avenue necessitated immediate repair and the City Administrator properly authorized the work to be undertaken by Helms and Sons Excavating; and,

WHEREAS, The necessary work was promptly and satisfactorily performed and an invoice for the reasonable cost of the work has been received; and,

WHEREAS, An Ordinance of Record is required to authorize the Finance Director to pay the invoice;

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

Section 1: The Finance Director is authorized to disburse \$14,750.00 from 2012 budgetary line 590-540-5-2-974005 to Helms and Sons Excavating in payment of the invoice dated November 29, 2012, (Invoice No. 773) now on file in the Office of the City Administrator.

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 is declared to be an emergency measure necessary to the preservation of the health, safety and welfare of the community for the reason that prompt payment of charges incurred for work undertaken on an emergency basis is necessary to preserve the City's credit reputation and assure that contractors will be available to address emergency circumstances requiring unscheduled work in the future. 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: December 11 _____, 2012 Tim Holtsberry _____
President of Council

Votes in Favor of Adoption: 7
Votes Opposed to Adoption: 0

Attest: Tim Holtsberry _____, Acting Clerk

Approved: December 11 _____, 2012 Bob Armstrong _____
Mayor

ORDINANCE NO. 7463

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH BUCKEYE PUMPS, INC. TO SUPPLY A FLYGT PUMP FOR INSTALLATION IN THE KINGSBURY LIFT STATION AND DECLARING AN EMERGENCY

WHEREAS, Flygt Pumps installed in the Kingsbury Sanitary Sewer lift station have exceeded their anticipated design life; and,

WHEREAS, One pump recently failed and the supplier has determined that repair costs will exceed the purchase price of a newly manufactured replacement;

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

Section 1: The City Administrator is authorized to purchase one Model 31353.181 Flygt Pump conforming to the product description recited in quotation 024-112912-KM2 and at the quoted price of \$11,495.00 from Buckeye Pumps, Inc.

Section 2: The Finance Director is authorized to pay the approved purchase price 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 is declared to be an emergency measure necessary to the preservation of the health, safety and welfare of the community for the reason that it is necessary to have replacement pumps readily at hand to prevent spillage from the Kingsbury lift station and consequent contamination of the Maumee River and the delivery time for the authorized replacement pump is 10-12 weeks necessitating that the order be promptly processed. 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: December 11 _____, 2012 Tim Holtsberry _____
President of Council

Votes in Favor of Adoption: 7
Votes Opposed to Adoption: 0

Attest: Tim Holtsberry _____, Acting Clerk

Approved: December 11 _____, 2012 Bob Armstrong _____
Mayor

ORDINANCE No. 7464

**AN ORDINANCE AMENDING ORDINANCE NO. 7329 PASSED
DECEMBER 13, 2011 TO MAKE APPROPRIATIONS FOR
CURRENT EXPENSES AND OTHER EXPENDITURES OF
THE CITY OF DEFIANCE, OHIO, DURING THE PERIOD OF
JANUARY 1, 2012 THROUGH DECEMBER 31, 2012,
AND DECLARING AN EMERGENCY.**

WHEREAS, the City Finance Director has determined that additional appropriations are necessary to provide for expenditures; and

WHEREAS, that in addition to approving the expenditure of all public funds, Council must approve the appropriation of all public funds;

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

Section 1: That, to provide for expenses of the City of Defiance, State of Ohio, during the period of January 1, 2012 through December 31, 2012, Ordinance No. 7329 is hereby amended by appropriation changes to the following accounts:

101 - GENERAL FUND			
171 - MAYOR			
Salary, Wages & Benefits	\$	310.00	
TOTAL - MAYOR			\$ 310.00
172 - CITY ADMINISTRATOR			
Salary, Wages & Benefits	\$	45.00	
TOTAL - CITY ADMINISTRATOR			\$ 45.00
201 - FINANCE DEPARTMENT			
Salary, Wages & Benefits	\$	1,350.00	
TOTAL - FINANCE DEPARTMENT			\$ 1,350.00
276 - CEMETERY			
Operating	\$	4,000.00	
TOTAL - CEMETERY			\$ 4,000.00
301 - POLICE DEPARTMENT			
Salary, Wages & Benefits	\$	(10,550.00)	
Operating	\$	(5,130.00)	
TOTAL - POLICE DEPARTMENT			\$ (15,680.00)
336 - FIRE DEPARTMENT			
Salary, Wages & Benefits	\$	3,250.00	
TOTAL - FIRE DEPARTMENT			\$ 3,250.00
751 - PARKS & RECREATION			
Salary, Wages & Benefits	\$	1,725.00	
Operating	\$	5,000.00	
TOTAL - PARKS & RECREATION			\$ 6,725.00
TOTAL - GENERAL FUND			\$ -
202 - STATE HIGHWAY IMPROVEMENT FUND			
Operating	\$	1,500.00	
TOTAL - STATE HIGHWAY IMPROVEMENT FUND			\$ 1,500.00
585 - UTILITY BILLING OFFICE FUND			
Salary, Wages & Benefits	\$	4,245.00	
TOTAL - UTILITY BILLING OFFICE FUND			\$ 4,245.00
591 - WATER TREATMENT PLANT FUND			
Operating	\$	42,000.00	
TOTAL - WATER TREATMENT PLANT FUND			\$ 42,000.00
704 - HOTEL/MOTEL TAX FUND			
Operating	\$	13,280.00	
TOTAL - HOTEL/MOTEL TAX FUND			\$ 13,280.00
GRAND TOTAL - ALL FUNDS			\$ 61,025.00

RECAPITULATION OF APPROPRIATIONS

101	General Fund	\$	-
202	State Highway Improvement Fund	\$	1,500.00
585	Utility Billing Office Fund	\$	4,245.00
591	Water Treatment Plant Fund	\$	42,000.00
704	Hotel/Motel Tax Fund	\$	13,280.00
GRAND TOTAL - ALL FUNDS		\$	61,025.00

Section 2: It is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and that all deliberations that resulted in such formal action being taken, including all deliberations conducted by Committees of the Council, were conducted in meetings open to the public duly convened in compliance with law.

Section 3: This Ordinance shall be in full force and effect from and after the earliest date permitted by law.

Tim Holtsberry
President of Council

Passed: December 11, 2012

Attest: Tim Holtsberry, Acting Clerk

Votes Approving Adoption: 7

Votes Opposing Adoption: 0

Approved: December 11, 2012

By: Bob Armstrong, Mayor