

ORDINANCE NO. 7476

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE A VACTOR COMBINATION SEWER CLEANER AND DECLARING AN EMERGENCY

WHEREAS, the Sewer Committee recommends purchase of a 2013 Vactor Plus Combination Sewer Cleaner to replace the existing Vactor sewer cleaner; and,

WHEREAS, adequate provision for the purchase was made in the 2013 annual budget;

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 Jack Doheny Supplies, Northville Michigan, to manufacture a Vactor Plus Combination Sewer Cleaner on an International Harvester chassis supplied by Defiance Truck, Inc. and otherwise conforming to all specifications on file in the office of the City Administrator for delivery at the price established by the Ohio Department of Administrative Services Cooperating Purchasing Program, Term Schedule 800228.

Section 2: Upon delivery of the equipment purchased pursuant to the authority of Section 1, the City Administrator is directed to dispose of the City's existing Vactor sewer cleaner as municipal surplus. Used equipment may be sold by any means authorized by General Ordinance.

Section 3: The Finance Director is authorized to pay the \$391,547.32 purchase price authorized by Section 1 from 2013 Budgetary Line 590-540-5-2-730117 and is directed to credit the proceeds of the anticipated sale to be transacted pursuant to the authority of Section 2 to the Water Pollution Control Fund.

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 the preservation of the health, safety and welfare of the community for the reason that the lead time required to manufacture and deliver the authorized equipment is in excess of 7 months and prompt placement of the authorized Order for the equipment is essential to assure delivery for use during the second half of the calendar year. 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: February 5, 2013

Tim Holtsberry
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: February 5, 2013

Bob Armstrong
Mayor

Ordinance No. 7477
**AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR
TO PURCHASE TWO 2013 CHEVROLET PICK-UP TRUCKS FOR USE
BY THE DIVISION OF STREETS**

WHEREAS, the 2013 annual budget made provision for the scheduled replacement of two aged pick-up trucks presently assigned for use by the Streets Division; and,

WHEREAS, proposals to supply the needed vehicles were solicited from local automobile dealers and no offer to supply the vehicles at a price competitive with that established by the Ohio Department of Administrative Services Cooperative Purchasing Program was received;

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 2013 Chevrolet Silverado 2500, Model CK20743, and one 2013 Chevrolet Silverado 2500, Model CK20753, conforming to the specifications on file from White Allen Chevrolet, Dayton, Ohio, pursuant to Ohio Department of Administrative Services Cooperative Purchasing Program Contract No. RS901513 and at a total delivered price of \$47,051.00.

Section 2: The City Administrator is directed to sell one 1994 and one 1998 GMC Sonoma pick up truck as municipal surplus by any means authorized by General Ordinance to include, without limitation, internet auction.

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: February 5, 2013 Tim Holtsberry
President of Council

Attest: Lisa Elders, Clerk

Approved: February 5, 2013 Bob Armstrong
Mayor

RESOLUTION No. 2441

A RESOLUTION APPROVING AND SUPPORTING THE ESTABLISHMENT OF AN ENTERPRISE ZONE AGREEMENT BETWEEN THE COMMISSIONERS OF DEFIANCE COUNTY AND ADVANTAGE POWDER COATING, INC.

WHEREAS, the Commissioners of Defiance County have proposed an Enterprise Zone Agreement pursuant to which real and personal property constructed or located in the City in furtherance of industrial development described in the Agreement will be exempted from taxation; and,

WHEREAS, Council is of the opinion that the proposed Agreement will create and preserve employment opportunities in the City and improve the economic climate of Defiance County; and,

WHEREAS, the Board of Education of the Ayersville Local School District has endorsed the proposed agreement;

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

Section 1: Council approves and urges the Board of County Commissioners to execute the proposed Enterprise Zone Agreement between Defiance County, Ohio, and Advantage Powder Coating, Inc..

Section 2: It is found and determined that all legislative actions pertaining to the adoption of this Resolution 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 Resolution shall be effective from and after the earliest date permitted by law.

Tim Holtsberry
President of Council

Passed: February 5, 2013

Attest: Lisa Elders, Clerk

Approved: February 5, 2013

Bob Armstrong
Mayor